

State of Iowa

1972

JOURNAL OF THE HOUSE

SIXTY-FOURTH
GENERAL ASSEMBLY
SECOND REGULAR SESSION
1972

Convened January 10, 1972

Adjourned March 24, 1972

ROBERT D. RAY, Governor
ROGER W. JEPSEN, President of the Senate
WILLIAM H. HARBOR, Speaker of the House

Published by the
STATE OF IOWA
Des Moines

**SIXTY-FOURTH GENERAL ASSEMBLY
SECOND REGULAR SESSION**

OFFICERS OF THE HOUSE

WILLIAM H. HARBOR, Speaker of the House	Henderson
FLOYD H. MILLEN, Speaker Pro Tempore	Farmington
ANDREW VARLEY, Majority Floor Leader	Stuart
RICHARD F. DRAKE, Assistant Majority Floor Leader	Muscatine
ROBERT M. KREAMER, Assistant Majority Floor Leader	Des Moines
DALE M. COCHRAN, Minority Floor Leader	Eagle Grove
BERL E. PRIEBE, Assistant Minority Floor Leader	Algona
A. JUNE FRANKLIN, Minority Whip	Des Moines
WILLIAM R. KENDRICK, Chief Clerk	Des Moines
BURL B. BEAM, Assistant Chief Clerk	Martensdale
LILLIAN LEFFERT, Legislative Counsel	Des Moines
SUE M. REED, Chief Journal Clerk	Des Moines
ELIZABETH A. ISAACSON, Journal Clerk	Des Moines
ALYCE M. ELMITT, Engrossing Clerk	West Des Moines
DOLORES ABELS, Secretary to Chief Clerk	Des Moines
DOROTHY POTTHOFF, Clerk to Chief Clerk	Des Moines
BILLIE JEAN WALLING, Finance Clerk	Des Moines
ELIZABETH J. O'CONNOR, Supervisor of Clerks	Des Moines
PAULINE E. KEPHART, Assistant to Legislative Counsel	Des Moines
MARYJO F. WELCH, Secretary to Speaker	Des Moines
CLARENCE O. ANDERSON, Sergeant-at-Arms	Des Moines
FRANK L. CHRISTEN, Assistant Sergeant-at-Arms	Des Moines
PHYLLIS J. FRAZIER, Bill Clerk	Des Moines
MADLINE E. JAMES, Assistant Bill Clerk	Des Moines
JAMES R. LAWYER, File Clerk	Cumming
ANN B. MCCARTY, Supply Clerk	Des Moines
VELMA MELCHER, General Clerk	Des Moines
ELMER E. PENNINGTON, Chief Electrician	Des Moines
JOHN G. FRIBOURGH, Assistant Electrician	Des Moines
STEVE E. PEARSON, Control Board Operator	Boone
LAURA J. STOKES, Postmaster	LeMars

ELECTIVE STATE OFFICERS
Official Address, Des Moines, Iowa

Name	Title	Residence
Robert D. Ray	Governor	Des Moines
Roger W. Jepsen	Lieutenant Governor	Davenport
Melvin D. Synhorst	Secretary of State	Des Moines
Lloyd R. Smith	Auditor of State	Des Moines
Maurice E. Baringer	Treasurer of State	West Des Moines
L. B. Liddy	Secretary of Agriculture	Keosauqua
Richard C. Turner	Attorney General	West Des Moines

JUSTICES OF THE IOWA SUPREME COURT

C. Edwin Moore	Chief Justice of the Supreme Court	Des Moines
Maurice E. Rawlings	Justice of the Supreme Court	Sioux City
Michael L. Mason	Justice of the Supreme Court	Mason City
Francis H. Becker	Justice of the Supreme Court	Des Moines
Clay LeGrand	Justice of the Supreme Court	Davenport
Warren J. Rees	Justice of the Supreme Court	Anamosa
Harvey Uhlenhopp	Justice of the Supreme Court	Hampton
W. W. Reynoldson	Justice of the Supreme Court	Oceola
Keith David Harris*	Justice of the Supreme Court	Jefferson

*Effective January 16, 1972

MEMBERS OF THE HOUSE—SIXTY-FOURTH GENERAL ASSEMBLY—SECOND REGULAR SESSION (1972)

IV

REPRESENTATIVES

Name	Address	Age	Occupation	Representative District	Former Legislative Service
Alt, Don D.	West Des Moines	55	Savings and Loan Executive	61st—Polk	63, 64(1-S)
Anania, Samuel F.	Des Moines	50	Self-employed	65th—Polk	64(1-S)
Andersen, Leonard C.	Sioux City	60	Real Estate—Insurance	23rd—Woodbury	59, 60, 60X, 62, 63, 64(1-S)
Bennett, Vernon N.	Des Moines	35	Union Representative	59th—Polk	62, 63, 64(1-S)
Bergman, Irvin L.	Harris	60	Farmer	3rd—Lyon-Dickinson-Osceola	62, 63, 64(1-S)
Blouin, Michael T.	Dubuque	26	Sales Manager—Adv. Specialties	49th—Dubuque	63, 64(1-S)
Bray, Daniel L., Jr.	Davenport	24	Law Student	77th—Scott	64(1-S)
Camp, John	Bryant	56	Agric. Business	73rd—Clinton	58, 59, 60, 60X, 62, 63, 64(1-S)
Campbell, Herbert L.	Washington	61	Farmer	89th—Henry-Jefferson-Washington	63, 64(1-S)
Christensen, Perry L.	Kent	39	Farmer	95th—Decatur-Ringgold-Union	62, 63, 64(1-S)
Clark, John H.	Keokuk	25	Insurance Agent	100th—Lee	64(1-S)
Cochran, Dale M.	Eagle Grove	43	Farmer—Businessman	29th—Calhoun-Webster	61, 62, 63, 64(1-S)
Curtis, Warren E.	Cherokee	57	Certified Public Accountant	25th—Cherokee-Ida.	64(1-S)
Den Herder, Elmer	Sioux Center	63	Farmer—Realtor	1st—Sioux-Lyon	57, 58, 59, 60, 60X, 61, 62, 63, 64(1-S)
Dougherty, Tom	Albia	61	Farmer—Business	94th—Marion-Monroe	60X, 61, 63, 64(1-S)
Doyle, Donald V.	Sioux City	46	Lawyer	21st—Woodbury	57, 58, 61, 63, 64(1-S)
Drake, Richard F.	Muscatine	44	General Farming	71st—Muscatine	63, 64(1-S)
Dunton, Keith H.	Thornburg	56	Businessman—Farmer	88th—Iowa-Keokuk	58, 59, 60, 60X, 61, 62, 63, 64(1-S)
Edelen, Rollin C.	Estherville	63	Representative of Securities	5th—Emmet-Kossuth	64(1-S)
Egenes, Sonja	Story City	41	Housewife	33rd—Story	64(1-S)
Ellsworth, Theodore R.	Dubuque	53	Insurance Agent	50th—Dubuque	63, 64(1-S)
Ewell, Vernon A.	Waterloo	34	Teacher	39th—Black Hawk	63, 64(1-S)
Fischer, Harold O.	Wellsburg	54	Real Estate—Insurance	35th—Grundy-Marshall	58, 59, 60, 60X, 61, 62, 63, 64(1-S)
Fisher, C. Raymond	Grand Junction	64	Farming	56th—Greene-Guthrie	58, 59, 60, 60X, 61, 62, 63, 64(1-S)
Franklin, A. June	Des Moines	41	Administrative Assistant	64th—Polk	62, 63, 64(1-S)
Freeman, Dennis L.	Storm Lake	32	Insurance Salesman	15th—Buena Vista-Clay-O'Brien	63, 64(1-S)
Gluba, William E.	Davenport	29	College Admissions Counselor	76th—Scott	64(1-S)
Goode, Dewey E.	Bloomfield	73	Retired	98th—Davis-Wapello	45, 45X, 46, 46X, 47, 48, 49, 50, 50X, 53, 54, 55, 56, 57, 59, 60, 60X, 63, 64(1-S)
Grassley, Charles E.	New Hartford	38	Farmer	10th—Butler-Floyd	58, 59, 60, 60X, 61, 62, 63, 64(1-S)
Hamilton, Howard A.	Tipton	62	District Insurance Manager	72nd—Cedar-Muscatine-Scott	63, 64(1-S)
Hansen, Willard	Cedar Falls	40	Insurance Executive	37th—Black Hawk	63, 64(1-S)
Harbor, William H.	Henderson	51	Elevator Owner—Operator	81st—Mills Montgomery-Page	56, 57, 58, 62, 63, 64(1-S)
Hill, Philip B.	Des Moines	40	Lawyer	62nd—Polk	64(1-S)
Holden, Edgar H.	Davenport	57	Real Estate Broker	75th—Scott	62, 63, 64(1-S)
Husak, Emil J.	Toledo	41	Farmer	41st—Black Hawk-Tama	64(1-S)

MEMBERS OF THE HOUSE—SIXTY-FOURTH GENERAL ASSEMBLY—SECOND REGULAR SESSION (1972)
Continued

Name	Address	Age	Occupation	Representative District	Former Legislative Service
Jesse, Norman	Des Moines	34	Attorney	58th—Polk	63, 64(1-S)
Johnston, Joseph C.	Iowa City	33	Lawyer	70th—Johnson	63, 64(1-S)
Kehe, Luvern W.	Waverly	61	Contractor-Engineer	12th—Bremer-Chickasaw	63, 64(1-S)
Kelly, E. Kevin	Sioux City	28	Lawyer	22nd—Woodbury	64(1-S)
Kennedy, Michael K.	New Hampton	32	Attorney	11th—Chickasaw-Howard-Winnesiek	63, 64(1-S)
Kinley, George R.	Des Moines	34	Self-employed	66th—Polk	64(1-S)
Knoblauch, Charles E., Sr.	Carroll	49	Ass'n. Executive	28th—Carroll-Crawford	63, 64(1-S)
Knoke, George J.	Council Bluffs	41	Lawyer	79th—Pottawattamie	64(1-S)
Kreamer, Robert M.	Des Moines	30	Attorney	63rd—Polk	63, 64(1-S)
Kruse, Walter W. P.	Sheldon	67	Farmer-Insurance	4th—Clay-O'Brien	63, 64(1-S)
Larson, Larry N.	Ames	35	Grocer	34th—Jasper-Story	64(1-S)
Lawson, Murray C.	Mason City	48	Printing and Office Supply	17th—Cerro Gordo	63, 64(1-S)
Lipsky, Joan	Cedar Rapids	52	Homemaker	46th—Linn	62, 63, 64(1-S)
Logemann, Kenneth L.	Northwood	34	Farmer	7th—Cerro Gordo-Worth-Winnebago	63(2-S), 64(1-S)
Mayberry, D. Vincent	Ft. Dodge	55	Poultry Processor	30th—Webster	61, 62, 63, 64(1-S)
McCormick, Harold C.	Manchester	61	Retail Furniture Dealer	48th—Delaware-Jones	63, 64(1-S)
McElroy, Lillian	Percival	54	Housewife	82nd—Fremont-Page	64(1-S)
Mendenhall, John C.	New Albin	67	Retired Businessman	13th—Allamakee-Winnesiek	63, 64(1-S)
Menefee, Maynard	Fayette	64	Retired Farmer	19th—Fayette	63, 64(1-S)
Middleward, James I.	Indianola	59	Farmer	93rd—Warren-Marion	62, 63, 64(1-S)
Millen, Floyd H.	Farmington	51	President Gravel Company	99th—Lee-Van Buren	60, 60X, 61, 62, 63, 64(1-S)
Miller, Elizabeth R.	Marshalltown	66	Homemaker	36th—Marshall	63, 64(1-S)
Moffitt, Delmont	Mystic	60	Farmer	96th—Appanoose-Decatur-Wayne	59, 60, 60X, 62, 64(1-S)
Mollett, Henry C.	Council Bluffs	33	President Janitorial Service	80th—Pottawattamie	64(1-S)
Monroe, W. R. (Bill), Jr.	Burlington	33	Pharmacist	92nd—Des Moines	64(1-S)
Nielsen, Alfred	Defiance	69	Farmer	53rd—Harrison-Shelby	60, 60X, 61, 62, 63, 64(1-S)
Norpel, Richard J., Sr.	Bellevue	53	Insurance	52nd—Jackson-Jones	64(1-S)
Nystrom, John N.	Boone	38	Auto Dealer	55th—Boone	64(1-S)
Patton, John W.	Aurora	66	Farmer	20th—Buchanan-Delaware	61, 62, 64(1-S)
Pellett, Wendell C.	Atlantic	54	Farmer	83rd—Audubon-Cass	64(1-S)
Pelton, Charles H.	Clinton	31	Lawyer	74th—Clinton	62, 63, 64(1-S)
Pierson, George N.	Oakaloosa	67	Farmer-Agric. Business	87th—Keokuk-Mahaaska-Monroe	62, 63, 64(1-S)
Priebe, Berl E.	Algona	53	Farmer	6th—Kossuth-Humboldt	63, 64(1-S)
Radl, Richard M.	Lisbon	60	Manufacturer	43rd—Linn	61, 62, 63, 64(1-S)
Rex, Clyde	Ellsworth	49	Farmer	31st—Hamilton-Wright	63, 64(1-S)
Rodgers, Norman G.	Adel	44	Grocer-Farmer	85th—Dallas-Madison	63, 64(1-S)
Roorda, Norman	Monroe	43	Farmer	67th—Jasper	62, 63, 64(1-S)
Sargisson, Hallie	Salix	64	Housewife	24th—Woodbury	64(1-S)

REPRESENTATIVES

MEMBERS OF THE HOUSE—SIXTY-FOURTH GENERAL ASSEMBLY—SECOND REGULAR SESSION (1972)
Continued

Name	Address	Age	Occupation	Representative District	Former Legislative Service
Schmeiser, Lloyd F.	Burlington	50	Farm Owner-Operator	91st—Des Moines-Louisa	63, 64(1-S)
Schroeder, Laverne W.	McClelland	38	Farmer	54th—Harrison-Pottawattamie	62, 63, 64(1-S)
Schwartz, James H.	Ottumwa	43	Insurance	97th—Wapello	63, 64(1-S)
Schwieger, Barton L.	Waterloo	30	Lawyer	40th—Black Hawk	64(1-S)
Scott, Kenneth D.	Thornton	41	Farmer-Auctioneer-Realtor	18th—Franklin-Cerro Gordo	64(1-S)
Shaw, Elizabeth	Davenport	48	Housewife-Lawyer	78th—Scott	62, 63, 64(1-S)
Siglin, Marion D.	Lucas	61	Farmer	86th—Clarke-Lucas-Madison	60, 64(1-S)
Skinner, Ed	Altoona	35	Lawyer	60th—Polk	63, 64(1-S)
Small, Arthur A., Jr.	Iowa City	37	Business Executive	69th—Johnson	64(1-S)
Sorg, Nathan	Marion	61	Pharmacist	47th—Linn	62, 63, 64(1-S)
Stanley, Ivor W.	Cedar Rapids	47	Executive in Supply Company	45th—Linn	64(1-S)
Stokes, A. Gordon	Le Mars	71	Farmer	2nd—Plymouth-Sioux	59, 60, 60X, 61, 62, 63, 64(1-S)
Strand, Clair	Grinnell	61	Grocer-Laundromat Owner	68th—Iowa-Jasper-Poweshiek	62, 63, 64(1-S)
Stromer, Delwyn	Garner	41	Farmer	8th—Hancock-Wright	62, 63, 64(1-S)
Strothman, Charles F.	New London	70	Farmer-Livestock Breeder	90th—Henry-Jefferson	60, 60X, 61, 62, 63, 64(1-S)
Taylor, Raymond J.	Dubuque	35	Plant Construction and Maintenance	51st—Dubuque	64(1-S)
Tiedens, Dale	Bikar	49	Farmer	14th—Allamakee-Clayton	61, 62, 63, 64(1-S)
Trowbridge, Dalbert L.	Charles City	68	Farmer-Property Management	9th—Floyd-Mitchell	64(1-S)
Urban, Charles J.	Waterloo	50	Oil Jobber	38th—Black Hawk	61, 64(1-S)
Varley, Andrew	Stuart	36	Farmer	84th—Adair-Adams-Taylor	62, 63, 64(1-S)
Waugh, Jewell O.	Whiting	61	Farmer	27th—Crawford-Monona	62, 63, 64(1-S)
Welden, Richard W.	Iowa Falls	63	Contractor	32nd—Franklin-Hardin	62, 63, 64(1-S)
Wells, James D.	Cedar Rapids	43	Food Company Employee	44th—Linn	63, 64(1-S)
Willits, Earl M.	Des Moines	25	Teacher	57th—Polk	64(1-S)
Winkelman, William P.	Lohrville	38	Farmer-Businessman	26th—Calhoun-Sac	60, 60X, 61, 62, 63, 64(1-S)
Wirtz, James E.	Emmetsburg	28	Insurance-Real Estate	16th—Palo Alto-Pocahontas	64(1-S)
Wyckoff, Russell L.	Vinton	46	Farmer	42nd—Benton-Black Hawk	64(1-S)

MEMBERS OF THE SENATE—SIXTY-FOURTH GENERAL ASSEMBLY—SECOND REGULAR SESSION (1972)

Name	Address	Age	Occupation	Dist.	Counties Composing District	Former Legislative Service
Anderson, Quentin V.	Beaconsfield	39	Farmer, Businessman	48	Ringgold, Union, Decatur, Wayne, Appanoose	60, 60X, 61, 63, 64(1-S)
Arbuckle, R. Dean	Jefferson	45	Businessman	28	Greene, Boone, Guthrie	63, 64(1-S)
Balloun, Charles F.	Toledo	67	Farmer	21	Tama, Benton, Black Hawk	59, 60, 60X, 61, 62, 63, 64(1-S)
Bass, Earl G.	Malvern	56	Farmer, Grain Dealer	41	Mills, Page, Fremont, Montgomery	63(2-S), 64(1-S)
Briles, James E.	Corning	45	Auctioneer, Real Estate	42	Adams, Cass, Audubon, Adair, Taylor	56, 58, 59, 60, 60X, 61, 62, 63, 64(1-S)
Brownlee, S. J.	Emmetsburg	44	Farm Management	8	Palo Alto, Buena Vista, Pocahontas, Clay, O'Brien	63(2-S), 64(1-S)
Carlson, Reinhold O.	Des Moines	66	Savings and Loan Executive	29	Polk	64(1-S)
Coleman, C. Joseph	Clare	48	Farmer	15	Webster, Calhoun	57, 58, 59, 60, 60X, 61, 62, 63, 64(1-S)
Conklin, W. Charlene	Waterloo	42	Housewife	20	Black Hawk	62, 63, 64(1-S)
Curran, Leigh R.	Mason City	65	Farmer, Businessman	9	Cerro Gordo, Franklin	59, 60, 60X, 62, 63, 64(1-S)
Davis, Wilson L.	Keokuk	54	Engineer, Contractor	50	Lee, Van Buren	63(2-S), 64(1-S)
DeKoster, Lucas J.	Hull	53	Lawyer, Insurance Agent	1	Sioux, Lyon, Plymouth	61, 62, 63, 64(1-S)
Doderer, Minnette F.	Iowa City	48	Legislator	35	Johnson	60, 60X, 61, 62, 63, 64(1-S)
Erskine, Alden J.	Sioux City	70	Automotive Business	12	Woodbury	62, 63, 64(1-S)
Gaudineer, Lee H., Jr.	Des Moines	39	Lawyer	32	Polk	61, 62, 63, 64(1-S)
Gilley, Floyd	Maynard	69	Retired Farmer	7	Fayette, Allamakee, Winneshiek	63, 64(1-S)
Glenn, Gene W.	Ottumwa	43	Lawyer	49	Wapello, Davis	61, 62, 63, 64(1-S)
Graham, J. Wesley	Ida Grove	69	Farm Management	13	Ida, Cherokee, Sac, Calhoun	59, 60, 60X, 61, 62, 63, 64(1-S)
Griffin, James W., Sr.	Council Bluffs	36	Insurance Executive	40	Pottawattamie	63, 64(1-S)
Groes, G. William	Sioux City	42	Pharm. Products Salesman	11	Woodbury	64(1-S)
Hill, Eugene M.	Newton	58	Farmer	34	Jasper, Iowa, Poweshiek	58, 59, 60, 60X, 61, 62, 63, 64(1-S)
Keith, Wayne D.	Algona	63	Businessman, Farmer	3	Kossuth, Emmet, Humboldt	63, 64(1-S)
Kennedy, Gene V.	Dubuque	44	Specialty Advertising	26	Dubuque, Allamakee, Clayton	63, 64(1-S)
Kyhl, Vernon H.	Parkersburg	63	Automobile Dealer	5	Butler, Mitchell, Floyd	60, 60X, 61, 62, 63, 64(1-S)
Lamborn, Clifton C.	Maquoketa	52	Contractor	24	Jackson, Jones, Delaware	62, 63, 64(1-S)
Laverty, Charles O.	Indianola	55	Farmer, Agri-Business	47	Warren, Marion, Monroe	63, 64(1-S)
Messery, Francis L.	Cedar Falls	57	Investment Management	19	Black Hawk	59, 60, 60X, 61, 62, 63, 64(1-S)
Miller, Charles P.	Burlington	53	Chiropractor	46	Des Moines, Louisa	60, 60X, 61, 62, 63, 64(1-S)
Milligan, George F.	Des Moines	37	Banker	31	Polk	63, 64(1-S)
Mowry, John L.	Marshalltown	65	Lawyer	18	Marshall, Grundy	57, 58, 59, 60, 60X, 62, 63, 64(1-S)
Neu, Arthur A.	Carroll	38	Lawyer	14	Carroll, Crawford, Monona	62, 63, 64(1-S)
Nicholson, Edward E.	Davenport	67	Livestock Feeder	38	Scott	63, 64(1-S)
Ollenburg, H. L.	Garner	60	Banker	4	Hancock, Winnebago, Worth, Wright, Cerro Gordo	63, 64(1-S)
Palmer, William D.	Des Moines	36	Pres. Insurance Agency	30	Polk	61, 62, 63, 64(1-S)
Potgeter, James A.	Steamboat Rock	41	Grain Dealer	16	Hardin, Hamilton, Wright, Franklin	62, 63, 64(1-S)
Potter, Ralph W.	Marion	51	Real Estate	10	Linn, Buchanan, Delaware	63, 64(1-S)

SENATORS

MEMBERS OF THE SENATE—SIXTY-FOURTH GENERAL ASSEMBLY—SECOND REGULAR SESSION (1972)
Continued

Name	Address	Age	Occupation	Dist.	Counties Composing District	Former Legislative Service
Rabedeaux, W. R.	Wilton	52	Pres. Pub. Co., Dir. Power Co.	36	Cedar, Muscatine, Scott	63(2-S), 64(1-S)
Rhodes, John C.	Chariton	42	Administrator Food Stores	43	Lucas, Dallas, Madison, Clarke	64(1-S)
Riley, Tom	Cedar Rapids	42	Lawyer	23	Linn	59, 60, 60X, 61, 62, 64(1-S)
Robinson, Cloyd E.	Cedar Rapids	33	Food Company Employee	22	Linn	64(1-S)
Schaben, James F.	Dunlap	45	Livestock Auction Mkt. Oper.	27	Harrison, Shelby, Pottawattamie	62, 63, 64(1-S)
Shaff, Roger J.	Camauche	61	Farmer, Banker	37	Clinton	62, 63, 64(1-S)
Shawver, George L.	Fredericksburg	54	Contractor	6	Chickasaw, Bremer, Howard, Winnebick	64(1-S)
Smith, Marvin W.	Paullina	70	Retired Farmer, Teacher	2	O'Brien, Osceola, Dickinson, Clay, Lyon	57, 58, 59, 60, 60X, 61, 62, 63, 64(1-S)
Stephens, Richard L.	Crawfordsville	67	Farmer, Livestock Producer	45	Washington, Jefferson, Henry	57, 58, 59, 60, 60X, 61, 62, 63, 64(1-S)
Tapscott, John E.	Des Moines	41	Ins., Securities, Real Estate	33	Polk	62, 63, 64(1-S)
Thordsen, Harold A.	Davenport	62	Real Estate Broker	39	Scott	62, 63, 64(1-S)
Van Drie, Rudy	Ames	40	Publisher	17	Story, Jasper	62, 63, 64(1-S)
Van Gilst, Bass	Oskaloosa	60	Farm Owner, Operator	44	Mahaska, Keokuk, Iowa, Monroe	61, 62, 63, 64(1-S)
Walsh, John M.	Dubuque	31	Dept. Store Executive	25	Dubuque	62, 63, 64(1-S)

(1-S) Indicates first regular session.
(2-S) Indicates second regular session.

JOURNAL OF THE HOUSE

First Calendar Day—First Session Day

HALL OF THE HOUSE OF REPRESENTATIVES
DES MOINES, IOWA, MONDAY, JANUARY 10, 1972

Pursuant to law, the House of Representatives of the Sixty-fourth General Assembly of Iowa, Second Regular Session, convened at 10:00 a.m., Monday, January 10, 1972.

The following prayer was offered by the Reverend James S. Thomas, Bishop of the Iowa Conference of the United Methodist Church, Des Moines, Iowa:

“Eternal God, who has called some of us to represent many others, help us to accept the responsibilities that come with the making of policies and laws. We thank Thee for this nation and for the freedom which it represents. Let no action of ours deny that freedom to any person.

We thank Thee for the State of Iowa in which justice and responsibility are honored. Let justice be extended and responsibility gladly accepted in this Assembly. Let those who cherish independence and courage exhibit those qualities in their relationships with others.

We thank Thee for this free Assembly in which different points of view may be respectfully heard. Give each member of this Assembly the grace to respect each person with whom he differs and to act out of motives guided by love.

Give us strength to do what is right according to the best light that we can find.

In Thy name we pray. Amen.”

The Journal of June 18 and 19, 1971, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Goode of Davis, indefinitely, on request of Varley of Adair.

PETITION FILED

The following petition was received and placed on file:

By Harbor of Mills, from sixteen members of the Des Moines Chapter No. 20 of the American Society of Women Accountants favoring the equal rights amendment.

COMMITTEE TO NOTIFY GOVERNOR

Shaw of Scott moved that a committee of five be appointed to notify the Governor that the House is duly organized and ready

to receive any communication that he may desire to transmit.

Motion prevailed and the following committee was appointed: Shaw of Scott, chairman, Knoke of Pottawattamie, Clark of Lee, Sargisson of Woodbury and Wells of Linn.

COMMITTEE TO NOTIFY THE SENATE

Winkelman of Calhoun moved that a committee of three be appointed to notify the Senate that the House is duly organized and ready to receive any communication that it may desire to transmit.

Motion prevailed and the following committee was appointed: Winkelman of Calhoun, chairman, McElroy of Fremont, and Bray of Scott.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 101

Varley of Adair asked and received unanimous consent to take up for immediate consideration House Concurrent Resolution 101 and moved its adoption.

HOUSE CONCURRENT RESOLUTION 101

By Varley

Be It Resolved by the House, the Senate Concurring, That a joint convention of the two houses of the second regular session of the Sixty-fourth General Assembly be held on Monday, January 10, 1972 at 1:45 p.m.

Be It Further Resolved, that Governor Robert D. Ray be invited to deliver his state of the state message at this joint convention of the two houses, and that the Speaker of the House and the President of the Senate be designated to deliver the invitation to him.

Motion prevailed and the resolution was adopted.

PAGES OF THE HOUSE

Tieden of Clayton moved that the following named persons be elected as the Pages of the House:

Charles Becker, Cedar Rapids, Iowa
 Curt Behrens, Strawberry Point, Iowa
 Alfredo José Curi, Jr., Keokuk Iowa
 Gary James Hoag, Marion, Iowa
 Steve Kline, Sioux City, Iowa
 Fred Lewis, Griswold, Iowa
 Jeff Petersen, Gowrie, Iowa
 William P. Reissetter, Ellsworth, Iowa
 J. Ward Rotter, West Point, Iowa
 Jeff Weeden, Marshalltown, Iowa
 Sandra Christensen, Kent, Iowa
 Valerie Ann Cool, Denison, Iowa

Susan Jane Glazer, Des Moines, Iowa
Nancy Ann Kruse, Sheldon, Iowa
Hollis Ann Lepley, Des Moines, Iowa
Susan Lynch, Des Moines, Iowa
Jane McKinley, Clarinda, Iowa
Diane Morrison, Malcom
Gayle Lynn Tinius, Charles City

Motion prevailed.

OATH OF OFFICE

The pages elected took the following oath of office:

"I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Iowa and that I will faithfully discharge the duties of my office to the best of my ability, so help me God."

REPORTS OF COMMITTEES TO NOTIFY GOVERNOR AND SENATE

Shaw of Scott, chairman of the committee to notify the Governor that the House was duly organized and ready to receive any communication he might desire to transmit, reported that the committee had performed its duty.

Report accepted and the committee discharged.

Winkelman of Calhoun, chairman of the committee to notify the Senate that the House was duly organized and ready to receive any communications that the Senate might desire to transmit, reported that the committee had performed its duty.

Report accepted and the committee discharged.

REMARKS BY SPEAKER

The gavel has sounded the beginning of the Second Session of the Sixty-fourth General Assembly. I bid you welcome.

Bishop Thomas has set the tone and presented a challenge to us all. This is a challenge we should all ponder in our hearts and know that we are here to represent all Iowa, to legislate for what is best for our beloved state and that our decisions will be made with the help from a higher power.

Since last sitting as a body, much has been written and much has been discussed as to accomplishments of the First Session. There are those who passed judgment by looking solely at the length of the Session, and there are those who contend there was little communication or cooperation. However, I say to you—let us take a look at the record and then make honest evaluations.

True, it was a lengthy session, one in which many concerns were faced up to. Three reapportionments, a new drug abuse law, voting rights to new voters, a new formula for meeting the financing obligations of education, soil conservancy concerns were recognized, and on and on goes a positive record we all, both Democrat and Republican, can point to with pride. We

knew what had to be done and proceeded to do it without political concerns.

I would point out that in accomplishing such an enviable record, close communication, cooperation and, yes, self-discipline, was a vital and integral part. Our record speaks for itself.

The First Session, however, is a record and each of our votes is in the Journal. Thus, we must look ahead to the Second Session. By any standard, our track record was a good one and a vast majority of acknowledged priority issues were handled. However, resting on laurels is asking time to stand still, which each of us knows just does not happen.

Interim study committees have met periodically and have made their findings known as to the need of any new legislation. They worked long and hard so as to minimize the research time of the entire body. For this they merit our thanks for a job well done.

The work product of these studies and the proposals pending at the close of the last session have been the subject of many priority setting sessions of the leadership on both sides of the political aisle, and on both sides of the rotunda, with suggestions from the Executive Branch. You may rest assured thorough gleaning of subject matter has been done and indicated priorities made. In doing this it is felt that we all will be much more responsive to the current needs of Iowa.

However, all the designs, all of the architectural elegance, all the preparation, and all the good intentions of a short, meaningful session can be meaningless unless each of us dedicates himself to this cause. All of Iowa will be looking to see if we have spoken empty phrases or do we mean what we say—that a short, meaningful session is our creed in '72. I respectfully solicit your cooperation, on both sides of the political aisle, in maintaining self-discipline in matters of lengthy debate. In other words, let us work our work product instead of it working us. As presiding officer, I intend to see that this is accomplished.

As a member of the leadership, I once again give you our pledge of cooperation. We can only be as good as you want us to be in that we represent you. We will maintain the close liaison with the Senate and with the Governor that has been evidenced over the last three years, and we will do our part in assuring the electorate that their confidence in us is well founded.

Each of us is an individual, unique in qualities agreeable to those who sent us here. Being individuals, we will make mistakes, but we will be trying. However, as individuals, we have within our capacity the ability to correct mistakes and to seek compromise that will reflect the best interest of our beloved state.

Iowa represents more things that are good than any place I can call to memory. Open spaces, clean air, healthy environment, grade "A" land, and, most of all, top quality people make it so. Our responsibility is to see that these attributes that make Iowa the envy of the other 49 states is maintained and retained. We can do it if we so desire. Let us all pledge ourselves to this cause of making the best still better. Together it can be done.

We know what must be done—Now, let us do it.

COMMITTEE FROM THE SENATE

A committee from the Senate appeared and notified the House that the Senate was duly organized and ready to receive any communications that the House might desire to transmit.

ASSIGNMENT OF DESKS IN PRESS GALLERY

WEST PRESS GALLERY

The following named persons are accredited members of the press and are entitled to seats in the West Press Gallery:

Harrison Weber, Iowa Daily Press Association
Bill Eberline, Associated Press
Chris Pedersen, Associated Press
Val Corley, Associated Press
Gordon Hanson, Associated Press
Charles Roberts, Associated Press
Dale Sprouse, Associated Press
Norman Brewer, Des Moines Tribune
Richard Doak, Des Moines Register
Allan Hoschar, Des Moines Register
Jerry Szumski, Des Moines Register
Louise Swartzwalder, Des Moines Register
James Flansburg, Des Moines Register
Ceryl Arvidson, United Press International
Jerry Mursener, United Press International
James Joyce, United Press International
William Joyce, United Press International
Randy Minkoff, United Press International
Ginzy Schaefer, United Press International
Don Reid, Iowa Press Association
Otto Weber, Des Moines
Frank Nye, Cedar Rapids Gazette
John McCormick, Davenport Times-Democrat
Bill Severin, Waterloo Daily Courier
Vern Vierth, Marshalltown Times-Republican
Steve Walters, Dubuque Telegraph-Herald
Harry Mauck, Council Bluffs Nonpariel

EAST PRESS GALLERY

The following named persons represent accredited TV stations and are entitled to seats in the East Press Gallery:

Charles Lakin, KRNT and KRNT-TV
Craig Crummer, KRNT and KRNT-TV
Bill Johnson, KRNT and KRNT-TV
Dolph Pulliam, KRNT and KRNT-TV
Jim Worthington, KRNT and KRNT-TV
Gus Horn, WHO and WHO-TV
Mike Baughman, WHO and WHO-TV
George Davison, WHO and WHO-TV
Charles Norton, WMT and WMT-TV
Carroll Darringer, WMT and WMT-TV
Douglas Brandt, WMT and WMT-TV
Steve Coons, WOI and WOI-TV
Phil Morgan, WOI and WOI-TV
Paul Comer, WOI and WOI-TV
Al Levene, WOI and WOI-TV
Greg Brumley, WOI and WOI-TV
Jim Gritzner, KWWL and KWWL-TV
John Emmert, KWWL and KWWL-TV
John Dodge, KWWL and KWWL-TV

Jim Butler, KWVL and KWVL-TV
 Gerald Harrington, KWVL and KWVL-TV
 Mike Scott, KCRG and KCRG-TV
 Dave Carter, KCRG and KCRG-TV
 Dale Brodt, KCRG and KCRG-TV
 Jock Leonard, KCRG and KCRG-TV
 Gordon Ritzman, KCRG and KCRG-TV
 Tom Taylor, KMA

The following persons have been issued permits and have qualified privileges to the House chamber in pursuit of their professional duties:

Richard Greenwood, Iowa AFL-CIO News
 Jim Burt, Iowa Farm Labor (Radio-TV Services)
 Gene Maahs, Iowa Farm Bureau Spokesman
 Marlin Andersen, Iowa Farm Bureau (Radio-TV Services)
 Darryl Jahn, Iowa Farm Bureau
 Stephen Robinson, Executive Secretary, Republican Central Committee
 Sharon Robinson, Public Relations, Democratic Central Committee

SENATE MESSAGE CONSIDERED

Senate File 470, a bill for an act relating to deferred compensation for governmental employees.

Read first time and referred to committee on state government.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has adopted the following concurrent resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution 101, inviting Governor Robert D. Ray to deliver his State-of-the-State message on January 10, 1972.

Also: That the Senate has adopted the following concurrent resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 101, setting up the classification of pay for the switchboard operators.

CARROLL A. LANE, Secretary

SENATE CONCURRENT RESOLUTION 101

By Personnel Committee

Whereas, Senate Concurrent Resolution 5 duly adopted during the First Session of the Sixty-fourth General Assembly set up the salaries of Officers and Employees of the Senate and House, but did not include a classification for Switchboard Operators;

Now, Therefore, Be It Resolved by the Senate, the House Concurring: That the daily compensation of the Switchboard Operators of the Sixty-fourth General Assembly shall be \$14.00 per day.

Laid over under Rule 25.

**ANNOUNCEMENT BY SPEAKER
COMMITTEE CHANGES**

The Speaker announced the following committee changes for the second regular session (1972):

Christensen of Union as chairman of the committee on law enforcement and

Logemann of Worth as ranking member of the committee on law enforcement, due to the resignation of Hamilton of Cedar as chairman.

HOUSE AND SENATE FILES RE-REFERRED TO COMMITTEES

Under the provisions of House rule 44, the following House and Senate Files previously referred to the sifting committee are re-referred to the following committees:

House File 681 to the committee on state government

House File 682 to the committee on schools

House File 685 to the committee on law enforcement

House File 689 to the committee on law enforcement

House File 690 to the committee on state government

House File 698 to the committee on schools

House File 712 to the committee on conservation and recreation

House File 714 to the committee on environmental preservation

House File 725 to the committee on county government

House File 743 to the committee on social services

Senate File 79 to the committee on conservation and recreation

Senate File 92 to the committee on county government

Senate File 181 to the committee on county government

Senate File 282 to the committee on cities and towns

Senate File 323 to the committee on human and industrial relations

Senate File 369 to the committee on law enforcement

Senate File 446 to the committee on transportation

Senate File 480 to the committee on agriculture

Senate File 534 to the committee on judiciary

Senate File 539 to the committee on judiciary

Senate File 549 to the committee on judiciary

ANNOUNCEMENTS BY THE LEGISLATIVE COUNCIL

To fill vacancies on the Criminal Code Review Study Committee created by Senate Joint Resolution 18, Acts of the Sixty-third General Assembly, First Session, the following appointments were made:

Senator Lee H. Gaudineer, Jr.

Senator Ralph W. Potter

Representative Michael K. Kennedy

Representative George J. Knoke

Representative Charles H. Pelton

John Callaghan, additional citizen member

David J. Dutton, additional citizen member

Pursuant to section 2.50, subsection 4, Code 1971, and the September 8, 1971, Legislative Council Meeting, the following study committee was created:

LOCAL GOVERNMENTS FINANCIAL STUDY COMMITTEE

6 legislative members

Citizen members not anticipated

Representative Don D. Alt, Chairman

Senator Roger J. Shaff, Vice Chairman

Senator Gene V. Kennedy

Senator John C. Rhodes

Representative Joseph C. Johnston

Representative Henry C. Mollett

In accordance with Senate Concurrent Resolution 46, Acts of the Sixty-fourth General Assembly, First Session, the Legislative Council authorized the creation of the following new study committees:

DEPARTMENT OF TRANSPORTATION STUDY COMMITTEE

12 legislative members

6 citizen members

Representative Richard F. Drake, Chairman

Senator John M. Walsh, Vice Chairman

Senator Leigh R. Curran

Senator Lucas J. DeKoster

Senator Eugene M. Hill

Senator Charles P. Miller

Senator John C. Rhodes

Representative Vernon N. Bennett

Representative Dewey E. Goode

Representative John N. Nystrom

Representative Lloyd F. Schmeiser

Representative Ivor Stanley

Captain Art Bull

Kenneth Frazier

Mrs. Nadean Hamilton

Frank E. Horton

Ralph Kirk

Richard J. Petska

SCHOOL SYSTEMS AND STANDARDS STUDY COMMITTEE
(S.C.R. 39—S.C.R. 45)

10 legislative members

5 citizen members

Senator W. Charlene Conklin, Chairman

Representative Charles E. Grassley, Vice Chairman

Senator Wilson L. Davis

Senator Gene V. Kennedy

Senator Cloyd E. Robinson

Senator Richard L. Stephens

Representative Charles E. Knoblauch, Sr.

Representative Norman G. Rodgers

Representative Elizabeth Shaw

Representative Delwyn Stromer

Dr. Roderick Bickert

Paul L. Eckert

Roger E. Leavitt

Mrs. Jane Paul

Dr. Ralph Scott

**HIGHER EDUCATION STUDY COMMITTEE
(H.C.R. 9)**

8 legislative members

No citizen members anticipated

Representative Richard W. Welden, Chairman

Senator Rudy Van Drie, Vice Chairman

Senator Minnette F. Doderer

Senator Edward E. Nicholson

Senator Marvin W. Smith

Representative Willard Hansen

Representative George N. Pierson

Representative James D. Wells

**PENAL AND CORRECTIONAL SYSTEMS STUDY COMMITTEE
(H.C.R. 22)**

10 legislative members

4 citizen members

3 inmates

Senator Clifton C. Lamborn, Chairman

Representative Donald V. Doyle, Vice Chairman

Senator R. Dean Arbuckle

Senator Gene W. Glenn

Senator Gene V. Kennedy

Senator Ralph W. Potter

Representative Perry L. Christensen

Representative E. Kevin Kelly

Representative Harold C. McCormick

Representative Barton L. Schwieger

Professor James McCue

Joseph DeRaad

Dewey Landeck

Oscar Jones

Jan Hollins

Mrs. Oneda Cooper Mitchell

Gary Shay

**LAND USE POLICIES STUDY COMMITTEE
(H.C.R. 25)**

10 legislative members

1 citizen member

Senator Charles O. Laverty, Chairman

Representative Herbert L. Campbell, Vice Chairman

Senator G. William Gross

Senator Wayne D. Keith

Senator James F. Schaben

Senator George W. Shawver

Representative Dale M. Cochran

Representative James I. Middleswart

Representative Andrew Varley

Representative William P. Winkelman

Frank H. Mendell

BANK HOLDING COMPANIES STUDY COMMITTEE
(S.C.R. 28)

8 legislative members

No citizen members anticipated

Senator S. J. Brownlee, Chairman

Representative Harold O. Fischer, Vice Chairman

Senator Reinhold O. Carlson

Senator Lee H. Gaudineer, Jr.

Senator H. L. Ollenburg

Representative Dennis L. Freeman

Representative Lillian McElroy

Representative Berl E. Priebe

ASSISTANCE GRANT PROGRAMS STUDY COMMITTEE
(H.C.R. 48)

8 legislative members

No citizen members anticipated

Senator Quentin V. Anderson, Chairman

Representative Nathan F. Sorg, Vice Chairman

Senator Alden J. Erskine

Senator J. Wesley Graham

Senator John E. Tapscott

Representative Laverne W. Schroeder

Representative Kenneth D. Scott

Representative Delbert L. Trowbridge

In accordance with Senate File 565, Acts of the Sixty-fourth General Assembly, First Session, the Legislative Council authorized the creation of the following study committee:

MENTAL HEALTH AND JUVENILE INSTITUTIONS
STUDY COMMITTEE

8 legislative members

No citizen members anticipated

Representative Edgar H. Holden, Chairman

Senator Earl Bass, Vice Chairman

Senator James W. Griffin, Sr.

Senator Charles P. Miller

Senator Marvin W. Smith

Representative A. June Franklin

Representative Joan Lipsky

Representative Delmont Moffitt

The Legislative Council approved the appointment by standing committee chairmen of the following subcommittees to conduct certain studies during the interim:

APPROPRIATIONS
(Transportation Subcommittee)

Representative Richard W. Welden, Chairman

Senator Wayne D. Keith

Senator Eugene M. Hill

Senator Clifton C. Lamborn

Senator John C. Rhodes
 Senator John M. Walsh
 Representative Dewey Goode
 Representative Norman Jesse
 Representative Lloyd F. Schmeiser
 Representative Laverne Schroeder

CITIES AND TOWNS
 (Municipal Code Subcommittee)

Senator John C. Rhodes, Chairman
 Senator Wilson L. Davis
 Senator William D. Palmer
 Senator Tom Riley
 Representative Don D. Alt
 Representative Theodore R. Ellsworth
 Representative Ed Skinner
 Representative Nathan Sorg

COMMERCE
 (Commerce Commission Subcommittee)

Senator John L. Mowry, Chairman
 Representative Harold O. Fischer, Vice Chairman
 Senator William D. Palmer
 Senator W. R. Rabedaux
 Senator Harold Thordsen
 Representative Warren E. Curtis
 Representative Tom Dougherty
 Representative Floyd H. Millen

COMMERCE AND JUDICIARY
 (No-Fault Insurance Subcommittee)

Senator Rudy Van Drie, Co-Chairman
 Representative Dennis L. Freeman, Co-Chairman
 Senator James W. Griffin, Sr.
 Senator William D. Palmer
 Senator C. Joseph Coleman
 Senator Lucas J. DeKoster
 Senator Tom Riley
 Representative Theodore R. Ellsworth
 Representative James H. Schwartz
 Representative E. Kevin Kelly
 Representative Robert M. Kreamer
 Representative John W. Patton

ENVIRONMENTAL PRESERVATION
 (Environmental Agencies Subcommittee)

Representative Luvern W. Kehe, Chairman
 Senator Leigh R. Curran
 Senator Cloyd E. Robinson
 Senator George L. Shawver
 Representative Michael T. Blouin
 Representative Marion D. Siglin

(Radiation Subcommittee)

Senator Wayne D. Keith, Chairman
Senator Gene V. Kennedy
Senator Charles O. Laverty
Representative Herbert L. Campbell
Representative John H. Clark
Representative Dale M. Cochran

HUMAN AND INDUSTRIAL RELATIONS

(Amusement Rides Subcommittee)

Representative George N. Pierson, Chairman
Senator James W. Griffin, Sr.
Senator W. R. Rabedaux
Senator Cloyd E. Robinson
Representative James D. Wells
Representative Delwyn Stromer

SOCIAL SERVICES

(Nursing Homes Subcommittee)

Representative Edgar H. Holden, Chairman
Senator Earl Bass, Vice Chairman
Senator G. William Gross
Senator Charles P. Miller
Senator Marvin W. Smith
Senator Richard L. Stephens
Representative Keith H. Dunton
Representative George J. Knoke
Representative D. Vincent Mayberry
Representative Nathan F. Sorg

STATE GOVERNMENT

(Building Code Subcommittee)

Representative John Camp, Chairman
Senator R. Dean Arbuckle
Senator James W. Griffin, Sr.
Senator W. R. Rabedaux
Senator James F. Schaben
Representative C. Raymond Fisher
Representative D. Vincent Mayberry
Representative Raymond J. Taylor

(Voter Residency and Registration Subcommittee)

Representative Richard Drake, Chairman
Senator James A. Potgeter
Senator John C. Rhodes
Senator John E. Tapscott
Representative C. Raymond Fisher
Representative Earl M. Willits

WAYS AND MEANS
(Tax Exemptions Subcommittee)

Representative Norman Roorda, Chairman
 Senator H. L. Ollenburg, Vice Chairman
 Senator Minnette F. Doderer
 Senator George F. Milligan
 Senator Roger J. Shaff
 Representative George R. Kinley
 Representative Robert M. Kreamer
 Representative Ivor W. Stanley

(Tax Assessments Subcommittee)

Senator Roger J. Shaff, Chairman
 Representative Elmer Den Herder, Vice Chairman
 Senator Alden J. Erskine
 Senator Ralph W. Potter
 Senator Bass Van Gilst
 Representative Donald V. Doyle
 Representative C. Raymond Fisher
 Representative Floyd H. Millen

COMMUNICATION FROM THE CHIEF CLERK

The following communication was received by the Chief Clerk regarding requests for bill drafts:

The Legislative Service Bureau has completed many of the bills which were requested prior to the convening of the legislative session. Each House member whose bill draft is completed will be notified of such fact through the use of a pink card.

It would be appreciated if each member of the House would refrain from inquiring about the status of his bill draft request made before the session convened until the Legislative Service Bureau has had an opportunity to forward the pink cards to each member whose bill draft is completed. Hopefully this will be completed within the first two days of the legislative session. Those members who do not receive a pink card during the first two days of the legislative session may assume that their bill drafts are not finalized and if it is desired, inquiries should then be made.

It normally takes the Legislative Service Bureau a few days to clear the Bureau files of work completed during the interim, and clearing the files is inhibited if a member of the House is inquiring about the status of his request when the Bureau is at the same time attempting to notify him that his bill is completed and ready for introduction.

This announcement should not be construed as preventing any inquiries; it is made with the hope that some confusion in initiating the bill drafting function during the early days of the session can be avoided.

Requests for new bill drafts can be made at any time prior to the cut-off date, and any member of the House desiring to make a new request should do so at his earliest convenience.

House Rule 28 provides that "No bill shall be filed after the fifteenth calendar day of the second regular session of a General Assembly unless a written request for drafting the bill has been filed with the Legislative Service Bureau before that time. However, standing committees may introduce bills at any time." January 24, 1972, is the fifteenth calendar

day of this session. Pursuant to Rule 28, it appears that the Legislative Service Bureau is not authorized to accept requests for individually sponsored house bill drafts after Monday, January 24, 1972.

SERGE H. GARRISON, Director
Legislative Service Bureau

The House was recessed by the Speaker until 1:30 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Harbor in the chair.

Lipsky of Linn moved that a committee of three be appointed to notify the Senate that the House was ready to receive it in joint convention.

The motion prevailed and the Speaker appointed as such committee the following: Lipsky of Linn, chairman; Kehe of Bremer; and Kennedy of Chickasaw.

Lipsky of Linn, chairman of the committee to notify the Senate that the House was ready to receive it in joint convention, reported that the committee had performed its duty.

The report was accepted and the committee discharged.

The Sergeant at Arms announced the arrival of the President of the Senate, the Secretary of the Senate and the honorable body of the Senate.

The President was escorted to the Speaker's station, the Secretary to the Chief Clerk's desk and the members of the Senate were seated throughout the House chamber.

JOINT CONVENTION

In accordance with law and House Concurrent Resolution 101 duly adopted, the joint convention was called to order, President Jepsen presiding.

Senator Lamborn of Jackson moved that the roll call be dispensed with and that the President of the joint convention be authorized to declare a quorum present.

The motion prevailed.

President Jepsen announced a quorum present and the joint convention duly organized.

Senator Thordsen of Scott moved that a committee of six consisting of three members from the Senate and three members

from the House be appointed to notify Governor Ray that the joint convention was ready to receive him.

The motion prevailed and the President appointed as such committee Senators Thordsen of Scott, Rabedeaux of Muscatine and Schaben of Harrison on the part of the Senate, and Representatives Kelly of Woodbury, Siglin of Lucas and Ewell of Black Hawk on the part of the House.

The committee waited upon Governor Ray and escorted him to the Speaker's station. President Jepsen then presented Governor Ray, who delivered the following state of the state message:

STATE OF THE STATE MESSAGE

MR. PRESIDENT, MR. SPEAKER, MR. CHIEF JUSTICE, SENATORS AND REPRESENTATIVES, STATE OFFICIALS, DISTINGUISHED GUESTS, LADIES AND GENTLEMEN:

I guess I am somewhat saddened as I look over the General Assembly, and that is because there is one very special face that is missing amidst you, and that is of course the Dean of the Legislature, Dewey Goode who has served some forty years in the legislative body and I know we all miss Dewey very much and hope that he will return soon.

This is a new year and a new session of the Sixty-fourth General Assembly. It is a time for action and not for words.

Here in Iowa and all over the nation, people make it clear that they are turned off by inflated rhetoric. They expect their government—at every level—to come to grips . . . more aggressively, more effectively, than ever before . . . with issues and problems that affect people in their everyday lives.

These are the hard issues, the hard problems. Because they are hard, there is a human temptation for people in government to play charades in dealing with them . . . while actually evading them by trying to focus public attention on matters that are basically peripheral and of no great importance to the lives of our people.

We cannot turn our heads or cast our eyes away from change. Change is inevitable. Certain facts, however, remain constant.

I remind you that what is important is not how well government is doing, but how well our people are doing.

The time is past when people are willing to grant their public officials the luxury of evasiveness. The so-called "average citizen" . . . who is never average, at all . . . is not a shadowy, unreal figure to be dismissed airily as the "man in the street". Don't assume he pays attention to governmental affairs only on Election Day—and cares not what happens the rest of the time. Thanks to improved education, expanded leisure, and an enormous increase in the amount of rapidly circulated and readily available information about government, today's citizen has both the know-how and the incentive to follow political action and to rate performance by us who participate directly in political action.

Citizens not only question the credibility of government; they also increasingly question the gap between promise and delivery. They increasingly demand that the gap be closed. This is all to the good . . .

and the greatest service which you and I can render to the people of Iowa in the course of the present session is to keep our words and deeds harnessed together.

During this session of the legislature, as you practice the art of politics in its purest sense, keep in mind that the best politics is doing what is right for the people we represent.

You are not starting a new ball game, but beginning the second half of one already underway. As this session progresses, you must keep in mind that the citizens of this state are your teammates. Thus, what is important when the clock runs out is how well the people have scored. What I want to talk to you about now are the goals which we must cross to make this a winning session.

But first let us look at the Condition of the State.

That the economy has turned a corner is evidenced in the current revenues of state government. Unlike a year ago, I no longer shudder when I hear the knock of the comptroller at my door.

When the economy of this nation dropped, the shockwave reverberated around this country and through our state and its government. We—the legislature and I—faced the problems this drop in revenue created; we took drastic measures to live within our means as Iowans expected us to do.

Today, though we are far from being a state with overflowing coffers, our bills are being paid and the state's financial condition continues to improve. An early indication that enables me to make this cautiously optimistic statement is that today the state revenues are running slightly ahead of the projections made last spring.

I believe, however, it is too early for us to anticipate an economic upturn sufficient to cover massive additional expenditures some might want to propose at this time, regardless of how worthy such programs might be. Nor can we ask our taxpayers to shoulder any more burden.

Because of President Nixon's dramatic and bold action to achieve economic stability, our state government will in the future be able to more easily forecast revenues and evaluate the purchasing power of its dollars.

No state in America is hurt more deeply by inflation than Iowa. This state's proportionately great number of elderly people living on fixed incomes, and the Iowa farmers whose products rarely follow an inflationary trend, combine to make our state extremely vulnerable to rising costs. Therefore, this state benefits enormously from anti-inflationary policies.

Because of the President's economic measures, your legislative policies and our executive actions, there are few states in this Union whose people and whose government have come through the trying period just past as unscathed as we have.

This year has seen the beginning of the implementation of the most carefully-researched, forward-looking plan for financing education ever presented in this state. Any kinks that might exist in this plan must be straightened out without jeopardizing its basic principles.

As of the beginning of this new calendar year, the case loads of District Court judges will be brought into better balances by new judicial districts.

At the same time, two major recommendations of the Governor's Economy Committee are taking effect; one, the massive reorganization of Iowa's liquor distribution system, designed to improve service to the public while saving the state large sums of money; and two, the establishment of a Department of General Services which will enable us to do a better job at a potential savings of \$3 million a year.

Furthermore, with your support, we have lowered the minimum voting age to 18 years which has already had some interesting and happy results. Iowans have elected several municipal council members who are less than 21 years of age—and, most dramatically, elected America's youngest mayor—19-year-old Jody Smith of Ayrshire whose inauguration on January 3 won nationwide attention. These events are good omens for the future of our society.

This year also sees a new soil conservancy law going into effect in Iowa because of landmark legislation enacted by you last session. It is entirely appropriate that this law was the first of its kind in the nation... for we live in a state where the soil, though held privately, is nonetheless a public trust.

It is a compliment to this General Assembly that you have seen the wisdom in working toward a land-use policy for this state. Iowa must make comprehensive, overall plans for the rational and beneficial use of its valuable land. If we fail to preserve this resource, the future will curse us—but will be almost powerless to correct our omission.

The achievements of 1971 should inspire us as we move to further gains in 1972. Everyone shares your eagerness for a short session this year. The desire for brevity, however, must not short-change a legislative program. The quality of a product is seldom judged by the length of time it took to develop it.

I as Governor, members of my staff and the many people in the executive branch of state government are earnestly ready to assist you in your conscientious efforts to forge a record of accomplishments during this session.

Traditionally, in messages to legislatures, governors incorporate a section which could be labeled a "Christmas list". Such an itemization would include areas of specific interest to persons who derive their livelihood from business, or education, or agriculture, or to those in transportation or utilities, or to that spectrum known as "labor" or to those labeled "elderly", "poor" or "handicapped".

This message contains no such Christmas list for I believe this is a session where the issues we confront affect and interest all Iowans.

I want to discuss with you some legislative concerns. This program is not intended to include all matters that deserve your consideration, nor will it encompass all the issues on which my position is well known and which I believe should be enacted into law.

The order in which the items are listed does not indicate the priorities placed on them.

Although all of them are not equal in importance, all are important; all can add to the well-being of our Iowans.

1. JUDICIAL REFORM: In this session you can give Iowans a unified trial court system, desperately needed to replace an archaic, outmoded judicial structure older than the state itself. Such court reform will instill in Iowans confidence in and respect for the judiciary, particularly at the lower level where most people first come in contact with the courts.

2. DEPARTMENT OF ENVIRONMENTAL QUALITY: I hardly need to belabor the point that environmental protection is and will be a foremost concern for the entire human race during the rest of this century—and thereafter. We in Iowa must equip ourselves with effective tools to do our part of this job successfully—and a well-muscled Department of Environmental Quality is one of the tools which we must have.

3. **AMUSEMENT RIDE SAFETY:** Last summer's three tragic accidents in which more than a score of persons were injured and one person was killed clearly demonstrate the need for mandatory safety inspection and regulation of amusement rides. An amusement park is a place for children's laughter, not for parents' tears.

4. **JUNKYARD-BILLBOARD BILL:** There should no longer be any doubt of the intent of the federal government to deny Iowa its full share of highway aid unless and until legislation for junkyard beautification and highway advertising control is passed.

5. **HOME RULE:** In 1968 the people of Iowa voted to amend the state Constitution to provide home rule for cities and towns. That amendment lays upon us—and rightly so—the obligation to give municipalities more freedom in governing themselves . . . a process which involves complete re-drafting of the Municipal Code. Satisfactory municipal "home rule" must become a reality before this General Assembly adjourns.

6. **CIVIL RIGHTS FOR THE DISABLED:** We have removed many barriers of misunderstanding which have set apart our handicapped citizens from the rest of society. And now I urge your support in eliminating yet another. I ask that the Iowa Civil Rights Act be extended to provide equal employment opportunities to disabled persons in accordance with their abilities to perform specific jobs. This proposal would also assure Iowa's handicapped that equal opportunities in housing, accommodations and other important services exist for them too.

7. **DEPARTMENT OF TRANSPORTATION:** Transportation is an indispensable part of modern society. Presently several state agencies deal on a piece-meal basis with this aspect of life in Iowa. We need urgently to bring together into one agency the state's scrutiny of the complete transportation system, including its highway, rail, air and water components.

8. **PORNOGRAPHY:** Though high court decisions have made it clear that adults have a right to read and see what they wish, there is clearly a need to deprive the smut peddlers of their youthful market. Iowa needs a law to control the sale and distribution of obscene material. We should also provide additions to our nuisance laws so that private citizens can halt offensive conditions created by selling or displaying obscene material.

9. **ADULT RIGHTS FOR NEW VOTERS:** If a person is old enough to vote, he or she is old enough to be vested with the other responsibilities, privileges and obligations of adulthood. If Jody Smith is old enough to serve as mayor of Ayrshire, he is certainly old enough to be accepted as an adult in all ways. Young voters, whether or not in college, should be treated as all other eligible electors in establishing their place of voting.

10. **VIETNAM WAR BONUS:** Following World Wars I and II and the Korean Conflict, the people of Iowa voted a state bonus for the returning war veterans. Our Iowans today should be given the opportunity to do no less for those young men who went off to a widely unpopular war in Vietnam. They didn't leave with the bands playing nor did they return with the confetti flying. Perhaps such a showing of appreciation for their sacrifice would be in order even more than on the previous occasions.

11. **BARGAINING FOR PUBLIC EMPLOYEES:** I continue to believe that Iowa needs a structure for collective bargaining with public employees. Again, I ask that you consider this type of legislation which can now be debated rationally and intelligently without the pressure of a crisis.

12. **OMBUDSMAN:** I established a State Citizen's Aide Office through an experimental operation funded by a federal grant. To continue this office

requires a \$56,000 appropriation. Iowa has been a pioneer in this significant field, which directly confronts the problems of an individual citizen's frustration in trying to pierce what is—to him—the faceless wall of public bureaucracy. The Ombudsman is the people's hope for unravelling the red-tape, for remedying the oversights, and repairing the injustices of governmental bodies. The bigger and more complex the processes of government become, the greater becomes the need for an Ombudsman to help the ordinary citizen. Proof of the need here is provided by the constantly increasing volume of requests for help to which the present Iowa Citizen's Aide's office is responding. The soundness of the idea is no longer in question. Let us now give it a foundation of statutory permanence.

13. DRUNKEN DRIVER REFORM: We must do more than we are doing to rid the highways of the menace of the drunken driver. Too often mere payment of a penalty for failure to drive soberly does not change a driver's attitude or keep such a driver off the road. I therefore propose that special schools be established around Iowa where convicted drinking drivers who lose their driving privileges can earn back the right to operate motor vehicles. Such programs can be broadened to include rehabilitation for other traffic violators. The Court should be vested with the power to commit or refer a defendant for treatment.

14. CONCEALED WEAPON PERMITS: Clearly, some limitations need to be placed on the issuance of permits to carry concealed weapons.

15. A UNIFORM FISCAL YEAR IN IOWA: At a time when all levels of government are more closely tied than ever before, there exists some conflict and confusion in taxing and budget years. Federal and state government fiscal years run from July 1 to June 30, as do local schools. Cities, towns and counties, however, follow the calendar year. Because of these differences, budgeting is more confusing and difficult than it needs to be.

The following four items, plus the Ombudsman program, will require new appropriations. Funds for these projects are available within the present financing structure and additional revenue measures will not be necessary.

16. WORLD FOOD EXPO '76: Iowa has one of the greatest opportunities in its history. The concept of a World Food Exposition is breathtaking in scope and promises long term benefits to this State. It will involve large sums of money, most of which will be provided by the federal government and private industry. We are fortunate to have been successful in obtaining the official encouragement of the American Revolution Bicentennial Commission for this proposal. Iowa now must make a commitment if additional support is to be forthcoming. Therefore, I recommend an appropriation of \$250,000 to the Iowa Bicentennial Commission so that land options can be taken and essential preparation for a World Food Expo '76 can continue.

17. IOWA CRIME COMMISSION: A \$600,000 appropriation for fiscal year 1972-73 is necessary for local Crime Commissions in our cities and counties in order to receive the benefits of millions of dollars in federal anti-crime funds during this period.

18. SCHOOL LUNCH ASSISTANCE: For the second year of this biennium, the state's share of the cost of school lunch assistance to local schools, to comply with the National School Lunch Act, will require an appropriation of \$575,000. Earlier, you recognized the merits of this program when you appropriated \$515,000 for the 1971-72 fiscal year.

19. SCHOOL BUDGET REVIEW COMMITTEE: To give the School Budget Review Committee the capacity to aid individual school districts that have special problems too diverse to be covered by the statutes, an

appropriation of \$500,000 should be provided that committee.

20. **STATE PARK USER FEES:** With more leisure time and greater need to lessen the tensions of everyday living, many Iowans have sought refuge in our state parks. Some have expressed to me personally a willingness to pay a small fee to maintain clean and attractive facilities and good protection. Other states have found a user fee an answer for good park maintenance. I continue to believe that legislation should be completed to provide for a modest user fee for state parks.

21. **TAX-EXEMPT PROPERTIES:** Cities, towns, counties and school districts and the people living in them cannot afford the luxury of providing services required for much of the real property not now on the property tax rolls. Today, tax exemptions of real property extend beyond the original intent. Citizens should not be overburdened with property taxes for the special benefit of select groups. Therefore, you have been wise in scrutinizing these exemptions so the laws affecting such properties in our state can be tightened.

22. **COMMERCE COMMISSION—INTEREST RATES:** The Iowa Commerce Commission is strenuously working to hear utility rate application cases promptly. But still the problem of refunds will exist where the Commission does not approve the rate requests in full. The Commission should be given the power to establish a fair rate of interest to be applied on the customers' money that is on deposit or to be refunded. This would also encourage all parties to cooperate so that a quick determination can be made.

23. **LOW-RENT HOUSING:** Public housing projects have succeeded in helping our elderly and our low-income citizens. Low-rent housing that is in the public interest should be allowed without the requirement of an election, as is now permitted for the elderly.

24. **COUNTY SCHOOL DISTRICTS:** Elimination of Iowa's county Boards of Education is a worthy goal, for in many cases the services provided do not justify the high cost of these educational units. But the special education programs which have historically been delivered by these county boards must be maintained under any legislation which brings about this elimination.

25. **UNIFORM STATE BUILDING CODE:** Wide variance in local building codes around Iowa prevent full utilization of modern housing construction technology. A uniform building code at the state level would help remove this obstruction to progress. Our Housing Code also needs to be updated.

This, then, is a 25-point legislative program—not all inclusive, but all important goals that can be reached this session. Most of them are familiar to you and you have become knowledgeable about them, thus the prognosis for informed debate appears good.

Knowing that it often requires time and reflection to achieve legislative and public support for important proposals . . . however much I would prefer immediate results . . . I want to now mention quickly several other vital issues which you have or I am sure you will want to have under legislative study.

It is imperative that we continue to move forward to the establishment of a state-wide educational television network.

Iowans not yet within range of "Sesame Street" on the state's educational channels can take hope in the record ETV has made in only three years. In 1969, you first appropriated operating funds for our state-wide

educational television and radio system and during that same year the purchase of Channel 11 was completed. Two weeks from today, on January 24, a jointly-owned 2,000-foot tower near Alleman becomes operational and with it the ETV signals will reach more than 65 percent of Iowa's population—some 1.8 million persons.

In the matter of financing needed ETV expansion in the future, I suggest you carefully examine the many alternatives.

It is heartening to see that careful, extensive study of proposals to revise the penal code, and penal reform, is under way in this body. This is a field where deeply fundamental changes are sure to occur—and should occur. Much can be done to improve our system to condition transgressors for return to society. I still believe the regional correctional concept is right and hopefully the legislature will agree following its study of our penal system.

I note your auto insurance study committee has deferred action on any change in coverage for Iowa car owners pending analysis of the experience of other states that have now adopted no-fault or partial no-fault insurance programs. In the absence of any legislative action this year, I would hope insurance companies would provide extra coverage that would give immediate reimbursement for limited medical expense and loss of earnings regardless of who is at fault in an accident. This could be done without curtailing a victim's right to pursue recovery against a wrongdoer. Pure no-fault insurance would deprive injured people of fair and full recovery for their injuries and damages, but there is need for improvement in our insurance system and the legislature must prepare for this evolution.

As I travel our state and talk to its people, I have observed a healthy change in attitude toward this very special place we call Iowa.

For many years, I listened to Iowans underrate themselves and their state. I hear less and less of that. Today, more Californians are leaving that state than enter it—a first in its history. Crime and congestion, pollution and blight stalk the nation's major cities. The financial woes of government and the resulting burden on citizens of many states present nearly insolvable problems. By contrast, the condition in Iowa today is not only tolerable but actually enviable.

This is not to say, however, that we are free of problems and difficulties for we are not. But we still have a society with the capacity to deal with them.

Professor Lawrence Lafore, a newcomer to our state who wrote the article in *Harpers Magazine* that has been widely circulated across this nation, expressed so well a feeling of Iowa when he said: "Iowa is a unit of consciousness; it has a culture of its own" . . . then he added: "Nobody in Iowa has any sense of being anybody's social inferior".

To that I would add: "Iowa is a place where everybody is somebody."

While millions of other Americans must deal with the frustration of a computerized, credit card society, in Iowa one can still make an individual impact on our way of life.

And you, in this legislative assembly, are among the most fortunate of all Iowans. For you, as I, have been charged with the stewardship of this state and its people.

It has been said that Iowa is a wise partnership of land and people, a place for human beings to live as well as to exist. And that is what Iowa is all about.

In the days of this session and in the days beyond, I know that we, too, will strive to work together in a like partnership to continue building here in Iowa the good society. And that is what government is all about.

Governor Robert Ray was escorted from the House chamber by the committee previously appointed.

Varley of Adair moved that the joint convention be now dissolved.

The motion prevailed.

The House reconvened, Speaker Harbor in the chair.

INTRODUCTION OF BILL

House File 1001, by committee on human and industrial relations, a bill for an act relating to the safety inspection and regulation of amusement rides, devices and related electrical equipment, providing for the imposition and collection of inspection fees, and providing penalties for violations.

Read first time and placed on the calendar.

COMMUNICATION FROM THE CHIEF CLERK

There is on file in the office of the Chief Clerk a copy of Senate Concurrent Resolution No. 172, proposing an amendment to the Constitution of the United States that no student shall be assigned to nor compelled to attend any particular public school on account of race, religion, color or national origin, which was adopted by the Legislature of the State of Michigan.

On motion by Varley of Adair, the House adjourned until 9:00 a.m., Tuesday, January 11, 1972.

JOURNAL OF THE HOUSE

Second Calendar Day—Second Session Day

HALL OF THE HOUSE OF REPRESENTATIVES
DES MOINES, IOWA, TUESDAY, JANUARY 11, 1972

The House met pursuant to adjournment, Speaker Harbor in the chair.

Prayer was offered by the Reverend Roland Ritter, pastor of the United Methodist Church, Chariton, Iowa.

The Journal of Monday, January 10, 1972, was approved.

DISTINGUISHED GUEST

The Speaker announced that the Honorable William J. Scherle, Congressman from the Seventh District and former member of the Iowa House in the Fifty-ninth through Sixty-first General Assemblies, was present in the House chamber.

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Sixty high school students from Marengo Community School District, Marengo, Iowa, accompanied by their teacher, Norman Blake. By Dunton of Keokuk.

BIRTHDAY CONGRATULATIONS

Taylor of Dubuque rose on a point of personal privilege and on behalf of the House extended to the Honorable Theodore R. Ellsworth a "Happy Birthday."

INTRODUCTION OF BILLS

House File 1002, by Radl, a bill for an act relating to the establishment and construction of primary highways.

Read first time and referred to committee on **transportation**.

House File 1003, by Andersen, a bill for an act relating to the issuance of deer-hunting licenses.

Read first time and referred to committee on conservation and recreation.

House File 1004, by Monroe, a bill for an act relating to required statements regarding automobile odometer mileage.

Read first time and referred to committee on law enforcement.

House File 1005, by Fisher of Greene, a bill for an act relating to actions arising out of injuries or damages caused by the operation of a motor boat.

Read first time and referred to committee on judiciary.

House File 1006, by Doyle, a bill for an act relating to the breaking and entering of vending machines, and providing a penalty.

Read first time and referred to committee on law enforcement.

HOUSE CONCURRENT RESOLUTION 102

By Lipsky, Den Herder, Kennedy of Chickasaw, Campbell, Lawson, Christensen, Priebe, and Camp

Whereas, in the Soviet Union men and women are denied freedoms recognized as basic by all civilized countries of the world and indeed by the Soviet Constitution; and

Whereas, Jews and other religious minorities in the Soviet Union are being denied the means to exercise their religion and sustain their identity; and

Whereas, the Government of the Soviet Union is persecuting Jewish citizens by denying them the same rights and privileges accorded other recognized religions in the Soviet Union and by discriminating against Jews in cultural activities and access to higher education; and

Whereas, the right freely to emigrate, which is denied Soviet Jews who seek to maintain their identity by moving elsewhere, is a right affirmed by the United Nations Declaration of Human Rights, adopted unanimously by the General Assembly of the United Nations; and

Whereas, these infringements of human rights are an obstacle to the development of better understanding and better relations between the people of the United States and the people of the Soviet Union, *Now, Therefore,*

Be It Resolved by the House of Representatives, the Senate Concurring, That the General Assembly urges that the President of the United States of America call upon the Government of the Soviet Union to permit the free exercise of religion by all of its citizens in accordance with the Soviet Constitution, to end discrimination against religious minorities, and to permit its citizens to emigrate from the Soviet Union to the countries of their choice as affirmed by the United Nations Declaration of Human Rights.

Laid over under Rule 25.

REPORT OF PERSONNEL COMMITTEE

Tieden of Clayton announced the following persons appointed to complete House staff of permanent officers and employees:

Engrossing Clerk	Alyce M. Elmitt, West Des Moines
Sergeant-at-Arms	Clarence O. Anderson, Des Moines
Assistant Sergeant-at-Arms	Frank L. Christen, Des Moines
File Clerk	James Lawyer, Cumming
Assistant Electrician	John G. Fribourgh, Des Moines
Control Board Operator	Steve Pearson, Boone
Switchboard Operator	Joan Skinner, Des Moines
Switchboard Operator	Donna Waters, Des Moines
Research Assistant	Sarah Beatty, Sigourney
Research Assistant	Sandra Githens, Des Moines
Research Assistant	Linda Tigges, Des Moines

Report adopted.

HOUSE FILE 653 RE-REFERRED

The Speaker announced that House File 653, previously referred to the committee on law enforcement, is re-referred to the committee on judiciary.

COMMUNICATION FROM THE STATE COMPTROLLER

The following communication was received from the State Comptroller and is on file in the office of the Chief Clerk:

January 11, 1972

Mr. William R. Kendrick
Chief Clerk
House of Representatives
State House
Local

Dear Mr. Kendrick:

In accordance with section 25A.12, Code of Iowa, 1971, we are hereby submitting to the General Assembly all claims and judgments paid during 1971 by the State Appeal Board under Chapter 25A.

The attached report shows the name of each claimant, a brief description of each claim, the amount claimed and the amount approved.

Very truly yours,

MARVIN R. SELDEN, JR.
State Comptroller

Receipt of the above is hereby acknowledged.

WILLIAM R. KENDRICK, Chief Clerk

**CHAPTER 25A GENERAL TORT CLAIMS APPROVED
BY STATE APPEAL BOARD, 1971**

Claim No.	Claimant	Nature of Claim	Amount Claimed	Amount Approved
T-237-64	Paula S. May	Personal injuries Noehren Dorm, UNI, Cedar FallsUndetermined	\$ 300.00
T-524-64	F. W. Tomasek & Edward & Frank Colony	Crop damage as result of construction of Security Medical Facility	\$ 187.50	1,154.71
T-1142-64	Carlyn Kay Lewis	Personal injuries Burge Hall, Univ. of Iowa	112.00	112.00
T-1700-64	Zane B. Smith	Auto damage, National Guard vehicle backed into	109.63	109.63
T-1891-64	Evelyn L. Van Pelt	Paint on coat, Tax Office, Lucas Bldg.	20.60	20.60
T-2107-64	Faith Ann Walrod	Property damage, flood, Dancer Hall, UNI, Cedar Falls	221.60	200.00
T-2108-64	Darrell D. Millard	Auto damage, Ice and snow, Wright Hall, UNI, Cedar Falls	100.00	100.00
T-2118-64	Mary Colette Tigan	Flood damage, Dancer Hall, UNI, Cedar Falls	103.45	95.00
T-2226-64	Ralph L. Johnson	Collision with state snow plow	100.00	100.00
T-2250-64	U. S. Army Claims Service	Eight individuals claims involving National Guard	562.71	562.71
T-2277-64	Kenneth J. McBride	Injury from broken glass at Law Enforcement Academy ..	26.50	26.50
T-2350-64	R. L. Johnson & Farm Bureau Ins. Co.	Collision with state snow plow	644.00	544.00
T-2368-64	John Dilley	Walked through window, MHI, Mount Pleasant	130.42	130.42
T-2432-64	Edwin J. Vittetoe	Car damage, fair grounds	572.05	572.05
T-2656-64	Duane A. Gideon	Car damage, fair grounds	127.72	127.72
T-2676-64	Carleton E. Powers	Sailboat damage, Lake Keomah	70.38	70.38
T-2746-64	Velma Rodewald	Personal injury, fair grounds	26.00	26.00
T-2854-64	Ronald W. Johnston	Paint on clothes, Lacey State Park	15.00	15.00

CHAPTER 25A HIGHWAY TORT CLAIMS APPROVED
BY STATE APPEAL BOARD, 1971

Claim No.	Claimant	Nature of Claim	Amount Claimed	Amount Approved
H-111-64-T	Elizabeth Kershner Van Allen	Crop damage from flooding	\$ 261.00	\$ 136.00
H-112-64-T	Frances Kershner Bickelhaupt	Crop damage from flooding	261.00	136.00
H-127-64-T	June Halsted	Injury from contact with right-of-way rail while mowing ..	2,603.90	800.00
H-132-64-T	Mabel E. Reaves	Slip and fall on Linn Creek Bridge	3,692.65	3,000.00
H-165-64-T	Lille Jensen	Garden damage due to weed spray	33.50	33.50
H-167-64-T	Darrell Duane Groth	Crop loss due to weed spray	62.10	62.10
H-177-64-T	Dorothy Ann Dolash	Car damage, hit portable flashing light	53.95	53.95
H-178-64-T	City of Waterloo	Damage to city light cables from highway installation of signs	106.00	106.00
H-180-64-T	James W. Pearson & John & James Bowman	Crop damage from flooding	1,563.00	1,492.41
H-182-64-T	Clair J. Weiss	Broken eye glasses on the job	58.00	58.00
H-196-64-T	Keith Leineweaver	Tractor tire damage by snow fence post	25.44	25.44
H-197-64-T	Ira D. Flora	Car damage by concrete in road	49.03	49.03
H-198-64-T	Paul & Walter Grumstrup	Crop damage from flooding	7,731.66	7,731.66
H-202-64-T	Mrs. Herbert Nowlan	Car damage from concrete in road	28.27	28.27
H-204-64-T	Harold Beerman	Loss of well due to construction	732.99	732.99
H-208-64-T	Roger Allen Steil	Car damage from road condition	78.45	78.45
H-220-64-T	Donald R. Distlehorst	Tractor tire damage from right-of-way rail	94.79	47.50
H-230-64-T	Nellie G. Sorenson	Tire damage from grader blade	26.31	26.31
H-239-64-T	Ray Kraklio	Mower damage, hit right-of-way marker	165.50	165.50
H-243-64-T	Billy J. Deaton	Survey pin ruined tire	14.50	14.50

CHAPTER 25A—TORT CLAIMS
 JUDGMENTS AND SETTLEMENTS AT OR BEFORE TRIAL—1971

Claim No.	Claimant	Nature of Claim	Amount Claimed	Amount Approved
T-894-63	Bernita Jacobsen	Injuries received in gym class at University of Iowa (judgment)	\$50,000.00	\$ 2,200.00
T-514-63	Walston Aviation, Inc.	Damage to airplane when struck by National Guard Vehicle (1970 judgment)	12,000.00	10,500.00
T-525-64	Benny Hudson	Injury to hand at penitentiary (judgment)	15,000.00	903.13
T-1282-64	Stanley Richards	Fall on loading dock at Iowa University store (settlement)	5,000.00	2,750.00
T-1750-64	Alvin Harris	Injuries at prison (settlement)	15,000.00	600.00
H-181-64-T	Mary Kay Brockman	Fall on highway (settlement)	25,331.38	450.00

COMMUNICATION FROM THE STATE APPEAL BOARD

The following communication was received from the State Appeal Board and is on file in the office of the Chief Clerk:

January 11, 1972

Mr. William R. Kendrick
Chief Clerk
House of Representatives
State House
Local

Dear Mr. Kendrick:

There are transmitted herewith claims against the State of Iowa, to be filed with the Claims Committee of the House of Representatives.

These include 15 claims of a general nature.

Index is attached showing number of claim, name and address of claimant, amount of claim and amount approved.

Very truly yours,

MAURICE E. BARINGER
Chairman
State Appeal Board

Receipt of the above is hereby acknowledged.

WILLIAM R. KENDRICK, Chief Clerk

OFFICE
STATE COMPTROLLER

Claim Number	Name of Claimant Nature of Claim	Amount of Claim	Amount Approved
1946-64-25	Midtown Motor Inn, Des Moines, Iowa, Outdated Invoice	\$ 87.06	Disapproved
1974-64-25	Dr. MacDonald's Feed, Fort Dodge, Iowa, Registration Fee Refund	121.06	Disapproved
2162-64-25	Donald Howard Trost, Lenox, Iowa, License Fee Refund	6.00	Disapproved
2166-64-25	R. E. Merrill, Ames, Iowa, Loss of Earnings	32,888.60	Disapproved
2383-64-25	Sylvan Hochstedler, Kalona, Iowa, Outdated Warrant	18.30	Disapproved
2418-64-25	Gilbert F. Livermore, D.D.S., Oskaloosa, Iowa, Outdated Claim	325.00	Disapproved
2447-64-25	Lineville Elevator Co., Lineville, Iowa, License Fee Refund	37.50	Disapproved
2540-64-25	Cornelius Schimmel, Pella, Iowa, Outdated Warrant	9.24	Disapproved
2668-64-25	Rex A. Ward, Ossian, Iowa, Boat License Refund	9.00	Disapproved

2707-64-25	Robert E. Korte, Des Moines, Iowa, Deer License Refund	10.00	Disapproved
2711-64-25	Robert J. Korte, Oskaloosa, Iowa, Deer License Refund	10.00	Disapproved
2755-64-25	Paul Klonglan, Ankeny, Iowa, Boat License Refund	4.50	Disapproved
2782-64-25	Ronald H. Huffman, Carroll, Iowa, Boat Registration Refund	4.50	Disapproved
2832-64-25	Holiday Chrysler Plymouth, Des Moines, Iowa, License Fee Refund ..	27.00	Disapproved
2834-64-25	B & G Contractors, Centerville, Iowa, Outdated Claim	217.81	Disapproved

SENATE AMENDMENTS CONSIDERED

Camp of Clinton called up for consideration House File 695, a bill for an act to appropriate from the motor vehicle fuel tax fund for the biennium beginning July 1, 1971, and ending June 30, 1973, to the state comptroller, amended by the Senate as follows:

Amend House File 695 as follows:

1. Page 2, line 19, by inserting after the word "appropriated." the following:

"The state comptroller may make application to the appropriation committees for the reappropriation of any funds that revert on September 30, 1972 and the respective appropriation committees or a subcommittee thereof shall hold a public hearing upon such application."

Camp of Clinton offered, from the floor, the following amendment to the Senate amendment and moved its adoption:

Amend the Senate amendment to House File 695, dated June 19, 1971, as follows:

1. By striking the word "public" in line 7.
2. By inserting after the word "application" in line 7 the following: "while the general assembly is in session".

The amendment to the Senate amendment was adopted.

Camp of Clinton moved the adoption of the Senate amendment as amended.

The Senate amendment as amended was adopted.

Camp of Clinton moved that the bill, as amended by the Senate, further amended by the House and concurred in by the House, be read a last time now and placed upon its repassage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass? (H.F. 695)

The ayes were, 85:

Alt	Fisher, C. R.	Mendenhall	Schmeiser
Anania	Freeman	Menefee	Schroeder
Andersen	Gluba	Middleswart	Scott
Bergman	Grassley	Millen	Siglin
Blouin	Hamilton	Miller	Small
Bray	Hansen	Moffitt	Sorg
Camp	Hill	Mollett	Stanley
Campbell	Holden	Monroe	Stokes
Christensen	Husak	Nielsen	Strand
Clark	Kehe	Norpel	Stromer
Cochran	Kelly	Nystrom	Strothman
Curtis	Knoblauch	Patton	Taylor
Den Herder	Knoke	Pellett	Tieden
Dougherty	Kreamer	Pelton	Trowbridge
Doyle	Kruse	Pierson	Varley
Drake	Larson	Priebe	Waugh
Dunton	Lipsky	Radl	Willits
Edelen	Logemann	Rex	Winkelman
Egenes	Mayberry	Rodgers	Wirtz
Ellsworth	McCormick	Roorda	Wyckoff
Ewell	McElroy	Sargisson	Mr. Speaker
Fischer, H. O.			

The nays were, 1:

Uban

Absent or not voting, 14:

Bennett	Johnston	Schwartz	Skinner
Franklin	Kennedy	Schwieger	Welden
Goode	Kinley	Shaw	Wells
Jesse	Lawson		

The bill having received a constitutional majority was declared to have been repassed by the House and the title was agreed to.

HOUSE FILE 69 DEFERRED

Schroeder of Pottawattamie called up for consideration **House File 69**, a bill for an act relating to errors and omissions insurance for county officers and employees, amended by the Senate as follows :

- 1 Amend House File 69 as follows:
- 2 1. Page 1, by striking lines 4 and 5 and inserting in lieu
- 3 thereof the following:
- 4 "Section 1. Section three hundred thirty-two point
- 5 thirty-five (332.35), Code 1971, is amended as follows:
- 6 332.35 ERRORS AND OMISSION INSURANCE ON COUNTY OFFICERS.
- 7 The board of supervisors [shall] *may* purchase and pay premiums
- 8 on insurance covering and insuring county officers, including
- 9 sheriffs and their employees which insurance shall insure
- 10 against personal liability as a result of errors and
- 11 omissions in the performance of official duties. The
- 12 premiums shall be paid from the county general fund.
- 13 Minimum liability limits for such insurance shall be fixed

14 by the attorney general. In the event that the liability
 15 of any county officer for any error or omission is not
 16 fully indemnified by insurance, the board of supervisors
 17 [may elect to] shall pay any loss, for which any county
 18 officer may be found liable, from the general fund of
 19 the county."

Schroeder of Pottawattamie offered the amendment filed by him on June 17, 1971 and found on pages 2144 and 2145 of the House Journal.

Fischer of Grundy moved that action on House File 69 be deferred until January 12, 1972.

Roll call was requested by Fischer of Grundy and Kreamer of Polk.

On the question "Shall House File 69 be deferred until January 12?"

The ayes were, 30:

Alt	Ellsworth	Kreamer	Patton
Anania	Fischer, H. O.	Larson	Sargisson
Andersen	Franklin	Lipsky	Stanley
Bennett	Freeman	Mayberry	Wells
Cochran	Gluba	McElroy	Willits
Doyle	Hansen	Miller	Wirtz
Dunton	Hill	Norpel	Wyckoff
Egenes	Holden		

The nays were, 55:

Bergman	Kelly	Pelton	Stokes
Bray	Knoblauch	Pierson	Strand
Campbell	Knoke	Priebe	Stromer
Christensen	Kruse	Radl	Strothman
Curtis	Logemann	Rex	Taylor
Den Herder	Mendenhall	Rodgers	Tieden
Dougherty	Menefee	Roorda	Trowbridge
Drake	Middleswart	Schmeiser	Uban
Edelen	Moffitt	Schroeder	Varley
Fisher, C. R.	Mollett	Scott	Waugh
Grassley	Monroe	Shaw	Welden
Hamilton	Nielsen	Siglin	Winkelman
Husak	Nystrom	Small	Mr. Speaker
Kehe	Pellett	Sorg	

Absent or not voting, 15:

Blouin	Goode	Kinley	Schwartz
Camp	Jesse	Lawson	Schwieger
Clark	Johnston	McCormick	Skinner
Ewell	Kennedy	Millen	

The motion lost.

Millen of Van Buren asked and received unanimous consent that House File 69 be deferred and that the bill retain its place on the calendar.

AMENDMENTS FILED

1 Amend the Senate amendment to House File 69 by
2 striking lines 2 through 19 and inserting in lieu thereof
3 the following:

4 1. Page 1 by adding after line 5 the following:

5 "Sec. 2. There is created in the state treasury
6 an error and omission fund which shall be used
7 exclusively to pay any judgment or settlement obtained
8 against a county for an error or omission committed
9 by a county officer or employee in the performance of
10 his official duties and to pay any loss sustained by
11 a county as the result of an embezzlement by a county
12 officer or employee occurring subsequent to the effective
13 date of this Act. The fund shall not be used to
14 pay premiums on fidelity bonds, liability and property
15 damage insurance, or errors and omissions insurance.

16 Sec. 3. The board of supervisors of each county
17 shall levy annually for two consecutive years commencing
18 January 1, 1972, a tax of three one-hundredths of a
19 mill against the assessed value of the taxable property
20 in the county.

21 Thereafter, the tax shall be levied annually only
22 if the treasurer of state certifies to each county that
23 the balance of the error and omission fund has been
24 reduced below three hundred thousand dollars.

25 The tax shall be levied and collected in each county
26 at the same time and in the same manner as other property
27 taxes.

28 Sec. 4. Not later than the fifteenth day of April or
29 the fifteenth day of October of each year in which the
30 tax is collected, the county auditor shall transmit
31 the amount of the tax levied, by warrant, to the
32 treasurer of state who shall credit it to the error
33 and omission fund. The treasurer of state shall invest
34 any moneys in the fund in the same manner as other
35 public funds and shall credit any interest received
36 from that investment to the error and omission fund.

37 Sec. 5. When a judgment or settlement is obtained
38 against the county for an error or omission committed
39 by a county officer or employee, or a loss is sustained
40 by a county as the result of an embezzlement by a
41 county officer or employee occurring subsequent to the
42 effective date of this Act, the county attorney, with
43 the approval of the district court of that county, shall
44 submit a claim to the state comptroller against the
45 error and omission fund for any amount which has not
46 been recovered. The state comptroller shall promptly
47 issue a warrant for the claim and the treasurer of state
48 shall pay it.

49 If any amount previously claimed from the error and
50 omission fund is subsequently recovered from another
51 source, the county treasurer shall pay such amounts
52 to the treasurer of state for deposit in the error and
53 omission fund.

54 Sec. 6. Sections three hundred thirty-four point
55 thirteen (334.13) through three hundred thirty-four
56 point twenty-two (334.22), Code 1971, inclusive,
57 are repealed."

SCHROEDER of Pottawattamie

1 Amend House File 1001 as follows:

2 1. By striking all of Section 3 and substitut-
3 ing in lieu thereof the following:

4 "Sec. 3. The commissioner shall adopt and
5 issue rules and regulations for the safe installa-
6 tion, repair, maintenance, use, operation, and in-
7 spection of amusement devices, amusement rides,
8 concession booths, and related electrical equip-
9 ment at carnivals and fairs to the extent necessary
10 for the protection of the public. The rules and
11 regulations shall be based upon generally accepted
12 engineering standards and shall be concerned with,
13 but not necessarily limited to, engineering force
14 stresses, safety devices, and preventive main-
15 tenance. The rules and regulations shall provide
16 for the reporting of accidents and injuries in-
17 curred from the operation of amusement devices
18 or rides, concession booths, or related electrical
19 equipment.

20 The commissioner may modify or repeal any rule or
21 regulation adopted under the provisions of this
22 Act.

23 Before adopting, modifying or amending any rule
24 or regulation consistent with and necessary for
25 the enforcement of this chapter, the commissioner
26 shall hold a public hearing on the proposed
27 regulation, modification or amendment to a rule
28 or regulation. Any interested person may appear
29 and be heard at the hearing, in person or by
30 agent or counsel. The commissioner shall give
31 the news media notice of each hearing at least
32 thirty days in advance of the hearing date and
33 shall make available a copy of the proposed rule
34 or regulation, or modification or amendment to a
35 rule or regulation to any person requesting same.
36 The provisions of this section are in addition
37 to the requirements of chapter seventeen A (17A)
38 of the Code."

PIERSON of Mahaska
MOLLETT of Pottawattamie
WELLS of Linn
STROMER of Hancock

1 Amend House File 1001 as follows:

2 1. Page 3, line 18, by striking the period
3 after the word "year" and adding the following:
4 ", provided, however, that amusement rides, devices
5 and related electrical equipment be inspected or
6 reinspected before operation at each new site of

7 operation.”
8 2. Page 5, by striking all after the period
9 in line 19, and all of lines 20, 21, 22, 23, 24
10 and 25.

MOLLETT of Pottawattamie

On motion by Varley of Adair, the House adjourned until 9:00
a.m., Wednesday, January 12, 1972.

JOURNAL OF THE HOUSE

Third Calendar Day—Third Session Day

HALL OF THE HOUSE OF REPRESENTATIVES
DES MOINES, IOWA, WEDNESDAY, JANUARY 12, 1972

The House met pursuant to adjournment, Speaker Harbor in the chair.

Prayer was offered by the Reverend Robert Gildner, pastor of the First Methodist Church, Indianola, Iowa.

The Journal of Tuesday, January 11, 1972, was approved.

ANNOUNCEMENT BY THE CHIEF CLERK

The Chief Clerk announced that the Iowa Chapter of the American Academy of Family Physicians has made arrangements for a doctor from their organization to be present every legislative day. They will be available for emergency treatment for legislative members, clerks and staff and will serve as a liaison between their organization and the legislature.

SPECIAL GUESTS

Dunton of Keokuk presented to the House Dr. Harold Moessner, representing the Iowa Chapter of the American Academy of Family Physicians.

Bennett of Polk presented to the House the Honorable Thomas A. Renda, Municipal Court Judge and former member of the House in the Sixty-first, Sixty-second and Sixty-third General Assemblies, representing Polk County.

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Eighteen third grade students from Dunlap School, Des Moines, Iowa, accompanied by their teachers, Miss Johnson and Mrs. Boyd. By Anania of Polk.

PETITION FILED

The following petition was received and placed on file:

By Sargisson of Woodbury from fifty-seven residents of Woodbury County favoring a multi-county regional educational service agency.

INTRODUCTION OF BILLS

House File 1007, by Kreamer (Milligan), a bill for an act relating to grounds for refusal to register motor vehicles.

Read first time and referred to committee on **cities and towns**.

House File 1008, by Dunton, a bill for an act relating to the successful completion of physical education courses in elementary and secondary schools of the state.

Read first time and referred to committee on **schools**.

House File 1009, by Shaw, a bill for an act relating to the reporting of the results of school elections.

Read first time and referred to committee on **schools**.

House File 1010, by Radl and Sorg, a bill for an act to establish the salary rates for the superintendent of the department of public instruction and all superintendents employed by school boards.

Read first time and referred to committee on **schools**.

House File 1011, by committee on state government, a bill for an act relating to the attainment of the age of majority.

Read first time and **placed on the calendar**.

**HOUSE STANDING COMMITTEE MEETINGS
AND ROOM SCHEDULES****MONDAY**

10:00 a.m. IN SESSION
11:00 a.m. Higher education
1:00 p.m. Cities and towns
2:00 p.m. Appropriations

TUESDAY

8:00 a.m. County government
9:00 a.m. IN SESSION
10:00 a.m. IN SESSION
11:00 a.m. Human and industrial relations
1:00 p.m. Environmental preservation
2:00 p.m. Commerce
3:00 p.m. State government

WEDNESDAY

8:00 a.m. Law enforcement
 9:00 a.m. IN SESSION
 10:00 a.m. IN SESSION
 11:00 a.m. Iowa development
 1:00 p.m. Social services
 2:00 p.m. Judiciary
 3:00 p.m. Ways and means

THURSDAY

8:00 a.m. Conservation and recreation
 9:00 a.m. IN SESSION
 10:00 a.m. IN SESSION
 1:00 p.m. Constitutional amendments and reapportionment
 2:00 p.m. Transportation
 3:00 p.m. Schools

FRIDAY

8:00 a.m. Agriculture
 9:00 a.m. IN SESSION
 10:00 a.m. IN SESSION
 11:00 a.m. Rules

REPORT OF COMMITTEE ON MILEAGE

MR. SPEAKER: Your committee appointed to determine the mileage each member is entitled to begs leave to submit the following report:

Name	Round Trip Miles
Don D. Alt	None
Samuel F. Anania	None
Leonard C. Andersen	402
Vernon N. Bennett	None
Irvin L. Bergman	460
Michael T. Blouin	400
Daniel L. Bray, Jr.	354
John Camp	410
Herbert C. Campbell	220
Perry L. Christensen	180
John H. Clark	400
Dale M. Cochran	200
Warren E. Curtis	360
Elmer Den Herder	480
Tom Dougherty	136
Donald V. Doyle	426
Richard F. Drake	296
Keith H. Dunton	190
Rollin C. Edelen	380
Sonja Egenes	94
Theodore R. Ellsworth	420
Vernon A. Ewell	260
Harold O. Fischer	196
C. Raymond Fisher	126
A. June Franklin	None
Dennis L. Freeman	320
William E. Gluba	346

Dewey E. Goode	220
Charles E. Grassley	230
Howard A. Hamilton	294
Willard Hansen	220
William H. Harbor	258
Philip B. Hill	None
Edgar H. Holden	330
Emil J. Husak	150
Norman Jesse	None
Joseph C. Johnston	240
Luvorn W. Kehe	260
E. Kevin Kelly	428
Michael K. Kennedy	312
George R. Kinley	None
Charles E. Knoblauch, Sr.	200
George J. Knoke	280
Robert M. Kreamer	None
Walter W. P. Kruse	450
Larry N. Larson	70
Murray C. Lawson	254
Joan Lipsky	260
Kenneth L. Logemann	320
D. Vincent Mayberry	220
Harold C. McCormick	370
Lillian McElroy	360
John C. Mendenhall	520
Maynard Menefee	310
James I. Middleswart	40
Floyd H. Millen	300
Elizabeth R. Miller	98
Delmont Moffitt	180
Henry C. Mollett	280
W. R. (Bill) Monroe, Jr.	332
Alfred Nielsen	232
Richard J. Norpel, Sr.	460
John N. Nystrom	100
John W. Patton	320
Wendell C. Pellett	180
Charles H. Pelton	430
George N. Pierson	120
Berl E. Priebe	280
Richard M. Radl	280
Clyde Rex	120
Norman G. Rodgers	64
Norman Roorda	54
Hallie Sargisson	380
Lloyd F. Schmeiser	340
Laverne W. Schroeder	262
James H. Schwartz	180
Barton L. Schwieger	224
Kenneth D. Scott	218
Elizabeth Shaw	360
Marion D. Siglin	112
Ed Skinner	None
Arthur A. Small, Jr.	240

Nathan Sorg	270
Ivor W. Stanley	250
A. Gordon Stokes	440
Clair Strand	110
Delwyn Stromer	226
Charles F. Strothman	300
Raymond J. Taylor	410
Dale Tieden	400
Delbert L. Trowbridge	314
Charles J. Uban	204
Andrew Varley	90
Jewell O. Waugh	360
Richard W. Welden	144
James D. Wells	250
Earl M. Willits	None
William P. Winkelman	200
James E. Wirtz	330
Russell L. Wyckoff	250

Respectfully submitted,
 LUVERN W. KEHE
 CLYDE REX
 NORMAN G. RODGERS

CONSIDERATION OF BILLS

REGULAR CALENDAR

House File 1001, a bill for an act relating to the safety inspection and regulation of amusement rides, devices and related electrical equipment, providing for the imposition and collection of inspection fees, and providing penalties for violations, with report of committee recommending passage, was taken up for consideration.

Mollett of Pottawattamie asked and received unanimous consent to withdraw the amendment filed by him on January 11, 1972, and found on page 34 of the House Journal.

Ewell of Black Hawk offered the following amendment from the floor and moved its adoption:

Amend House File 1001, page 5, by striking from line 19 the word "the", and by striking lines 20 through 25.

A non-record roll call was requested.

The ayes were 83, nays 4.

The amendment was adopted.

Pierson of Mahaska offered the following amendment filed by Pierson, et al.:

Amend House File 1001 as follows:

1. By striking all of Section 3 and substituting in lieu thereof the following:

"Sec. 3. The commissioner shall adopt and issue rules and regulations for the safe installation, repair, maintenance, use, operation, and inspection of amusement devices, amusement rides, concession booths, and related electrical equipment at carnivals and fairs to the extent necessary for the protection of the public. The rules and regulations shall be based upon generally accepted engineering standards and shall be concerned with, but not necessarily limited to, engineering force stresses, safety devices, and preventive maintenance. The rules and regulations shall provide for the reporting of accidents and injuries incurred from the operation of amusement devices or rides, concession booths, or related electrical equipment.

The commissioner may modify or repeal any rule or regulation adopted under the provisions of this Act.

Before adopting, modifying or amending any rule or regulation consistent with and necessary for the enforcement of this chapter, the commissioner shall hold a public hearing on the proposed regulation, modification or amendment to a rule or regulation. Any interested person may appear and be heard at the hearing, in person or by agent or counsel. The commissioner shall give the news media notice of each hearing at least thirty days in advance of the hearing date and shall make available a copy of the proposed rule or regulation, or modification or amendment to a rule or regulation to any person requesting same. The provisions of this section are in addition to the requirements of chapter seventeen A (17A) of the Code."

Shaw of Scott offered the following amendment to the amendment from the floor and moved its adoption:

Amend the Pierson, et al., amendment to House File 1001, filed January 11, 1972, by inserting after the period in line 15 the following: "Whenever such standards are available in suitable form they may be incorporated by reference".

The amendment to the amendment was adopted.

Pierson of Mahaska moved the adoption of the Pierson, et al., amendment as amended.

The amendment as amended was adopted.

Bennett of Polk offered the following amendment from the floor and moved its adoption:

Amend House File 1001, pages 6 and 7, by striking all of section 13.

Roll call was requested by Bennett of Polk and Kinley of Polk.

On the question "Shall the amendment be adopted?"

The ayes were, 43:

Alt	Franklin	Monroe	Scott
Anania	Gluba	Norpel	Skinner
Bennett	Hill	Patton	Small
Blouin	Jesse	Pellet	Sorg
Bray	Kennedy	Priebe	Strothman
Cochran	Kinley	Radl	Taylor
Dougherty	Knoblauch	Rex	Uban
Doyle	Larson	Rodgers	Willits
Dunton	Mayberry	Sargisson	Wyckoff
Ewell	McCormick	Schmeiser	Mr. Speaker
Fisher, C. R.	McElroy	Schwartz	

The nays were, 45:

Andersen	Hamilton	Millen	Stokes
Bergman	Hansen	Miller	Strand
Camp	Holden	Moffitt	Stromer
Campbell	Kelly	Nielsen	Tieden
Christensen	Knoke	Nystrom	Trowbridge
Clark	Kreamer	Pelton	Varley
Curtis	Kruse	Pierson	Waugh
Den Herder	Lipsky	Roorda	Welden
Edelen	Logemann	Schroeder	Wells
Egenes	Mendenhall	Shaw	Winkelman
Ellsworth	Menefee	Stanley	Wirtz
Freeman			

Absent or not voting, 12:

Drake	Grassley	Kehe	Mollett
Fischer, H.O.	Husak	Lawson	Schwieger
Goode	Johnston	Middleswart	Siglin

The amendment lost.

Bray of Scott offered the following amendment from the floor and moved its adoption:

Amend House File 1001, page 6, line 22, by striking the word "or" and inserting in lieu thereof the word "and."

The amendment was adopted.

Gluba of Scott offered the following amendment from the floor and moved its adoption:

Amend House File 1001, page 7, by adding after line 2 the following new section:

Sec. 14. There is appropriated from the general fund of the state to the bureau of labor for the

fiscal year commencing July 1, 1972, and ending June 30, 1973, the sum of fifty-eight thousand four hundred twenty-nine dollars (\$58,429), or so much thereof as is necessary, to carry out the provisions of this Act.

Roll call was requested by Small of Johnson and Jesse of Polk.

On the question "Shall the amendment be adopted?"

The ayes were, 37:

Anania	Franklin	Lipsky	Rodgers
Bennett	Gluba	Mayberry	Sargisson
Blouin	Husak	McCormick	Schmeiser
Bray	Jesse	Middleswart	Scott
Camp	Johnston	Monroe	Skinner
Cochran	Kelly	Norpel	Small
Dougherty	Kinley	Patton	Wells
Doyle	Knoblauch	Priebe	Willits
Dunton	Larson	Radl	Wyckoff
Ewell			

The nays were, 58:

Alt	Grassley	Moffitt	Stanley
Andersen	Hamilton	Mollett	Stokes
Bergman	Hansen	Nielsen	Strand
Campbell	Hill	Nystrom	Stromer
Christensen	Holden	Pellett	Strothman
Clark	Kehe	Pelton	Taylor
Curtis	Knoke	Pierson	Tieden
Den Herder	Kreamer	Rex	Trowbridge
Drake	Kruse	Roorda	Varley
Edelen	Logemann	Schroeder	Waugh
Egenes	McElroy	Schwartz	Welden
Ellsworth	Mendenhall	Schwieger	Winkelman
Fischer, H. O.	Menefee	Shaw	Wirtz
Fisher, C. R.	Millen	Sorg	Mr. Speaker
Freeman	Miller		

Absent or not voting, 5:

Goode	Lawson	Siglin	Uban
Kennedy			

The amendment lost.

Camp of Clinton moved that action on House File 1001 be deferred and that the bill retain its place on the calendar.

A non-record roll call was requested.

The ayes were 43, nays 49.

The motion lost.

Pierson of Mahaska moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1001)

The ayes were, 87:

Alt	Fisher, C. R.	Mendenhall	Schwieger
Anania	Franklin	Menefee	Scott
Andersen	Freeman	Middleswart	Shaw
Bennett	Gluba	Millen	Sorg
Bergman	Grassley	Miller	Stanley
Blouin	Hamilton	Moffitt	Stokes
Camp	Hansen	Mollett	Strand
Campbell	Holden	Nielsen	Stromer
Christensen	Husak	Norpel	Strothman
Clark	Kehe	Nystrom	Taylor
Cochran	Kelly	Patton	Tieden
Curtis	Kinley	Pellett	Trowbridge
Den Herder	Knoblauch	Pelton	Varley
Dougherty	Knoke	Pierson	Waugh
Doyle	Kreamer	Priebe	Welden
Drake	Kruse	Radl	Wells
Dunton	Larson	Rex	Willits
Edelen	Lipsky	Rodgers	Winkelman
Egenes	Logemann	Roorda	Wirtz
Ellsworth	Mayberry	Sargisson	Wyckoff
Ewell	McCormick	Schroeder	Mr. Speaker
Fischer, H. O.	McElroy	Schwartz	

The nays were, 10:

Bray	Johnston	Schmeiser	Small
Hill	Kennedy	Skinner	Uban
Jesse	Monroe		

Absent or not voting, 3:

Goode	Lawson	Siglin
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

ADOPTION OF SENATE CONCURRENT RESOLUTION 101

Tieden of Clayton called up for consideration **Senate Concurrent Resolution 101**, filed on January 10, 1972, and found on page 6 of the House Journal, and moved its adoption.

Motion prevailed and the resolution was adopted.

EXPLANATION OF VOTE

(House File 1001)

I am very much in favor of the intent of House File 1001. However, it is obvious that unless we provided an initial funding, House File 1001 becomes nothing more than a promise without an ability to keep it.

I will not participate in a sham that endangers other lives without a potential of achievement.

MONROE of Des Moines

EXPLANATION OF VOTE
(House File 1001)

The undersigned voted "no" on final passage of House File 1001 for the reason that the majority party leadership consistently refused to appropriate sufficient monies to permit the Department of Labor to conduct the inspections required under this Act and necessary for the safety of all Iowans.

The passage of this legislation without adequate funding to accomplish the purpose of the Act is mere "window dressing".

We regret that the majority party leadership is willing to mislead the people of this State by making it appear that we are concerned with their well-being, while refusing to fund the inspections required. Until adequate funding is provided we shall refrain from such charades.

JESSE of Polk
KENNEDY of Chickasaw
JOHNSTON of Johnson
SKINNER of Polk
SMALL of Johnson
UBAN of Black Hawk
SCHMEISER of Des Moines
BRAY of Scott

REPORTS OF COMMITTEE

Holden of Scott, from the committee on social services, submitted the following report:

MR. SPEAKER: Your committee on social services, to whom was referred **House File 472**, a bill for an act relating to local boards of health, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same be amended by committee amendment filed April 21, 1971, and when so amended the bill do pass.

HOLDEN of Scott, Chairman

Also:

MR. SPEAKER: Your committee on social services, to whom was referred **House File 495**, a bill for an act relating to aid to dependent children and providing penalties for violations, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same be amended by committee amendment filed March 29, 1971, and when so amended the bill do pass.

HOLDEN of Scott, Chairman

AMENDMENTS FILED

- 1 Amend House File 1011 as follows:
- 2 1. Page 4, by striking all of lines 18 through 23.
- 3 2. By renumbering the subsequent sections.

DEN HERDER of Sioux
GRASSLEY of Butler
MIDDLESWART of Warren
DOYLE of Woodbury
WYCKOFF of Benton
NIELSEN of Shelby

1 Amend House File 1011, page 4, by striking all of
2 lines 22 and 23, inserting in lieu thereof the
3 following:

4 33. "Legal age" means twenty-one years of age or
5 more with regard to the purchase or consumption of
6 alcoholic liquor, and eighteen years of age or more
7 with regard to the purchase or consumption of beer.

UBAN of Black Hawk

1 Amend House File 1011 as follows:

2 1. By adding the following new section:

3 Section two hundred thirty-nine point one (239.1),
4 subsection three (3), Code 1971, is amended to read as
5 follows:

6 3. A "dependent child" means a needy child under the
7 age of sixteen years, or under the age of [twenty] *eighteen*
8 years and a student regularly attending a high school in
9 pursuance of a course of study leading to a high school
10 diploma or its equivalent, or regularly attending a course
11 of vocational or technical training designed to fit him for
12 gainful employment, who has been deprived of parental sup-
13 port and care by reason of death, continued absence from
14 home, or physical or mental incapacity or unfitness of
15 either parent, and who is living with his father, mother,
16 grandfather, grandmother, brother, sister, stepfather, step-
17 mother, stepbrother, stepsister, uncle or aunt, in a place
18 of residence maintained by one or more of such relatives as
19 his or their home or has been placed in a licensed foster
20 home or with a public or nonprofit child-care agency by the
21 state division or by the county department of social welfare
22 in lieu of living with any relative designated in this
23 subsection.

24 2. By renumbering the sections as necessary.

SCHROEDER of Pottawattamie
HOLDEN of Scott
GRASSLEY of Butler
EDELLEN of Emmet

1 Amend House File 1011 as follows:

2 1. Page 10, line 34, by striking the word "minor" and
3 inserting the words "[minor] child".

4 2. By adding the following new section:

5 Section one hundred forty-two A point two (142A.2),
6 subsection one (1), Code 1971, is amended to read as
7 follows:

8 1. Any individual of sound mind and [twenty-one] *eighteen*
9 years of age or more may give all or any part of his body
10 for any purposes specified in section 142A.3, the gift to
11 take effect upon death.

12 3. By renumbering the sections as necessary.

FISHER of Greene

1 Amend House File 1011, page 18, line 28 by
2 striking the word "divorce" and inserting in lieu
3 thereof the word "dissolution".

DOYLE of Woodbury

1 Amend House File 1011 by striking from page 4, line 22,
2 the word "eighteen" and inserting in lieu thereof the word
3 "nineteen".

ANDERSEN of Woodbury

1 Amend House File 1011 as follows:

2 1. By striking the word "eighteen" wherever it appears
3 and inserting in lieu thereof the word "nineteen".

4 2. Page 6, by striking lines 26 and 27 and inserting
5 in lieu thereof the words "subsection four (4), Code 1971,
6 is amended to read as follows:

7 4. 'Minor' means a person less than [twenty-one] *nineteen*
8 years of age."

9 3. Page 6, by striking lines 29 and 30 and inserting in
10 lieu thereof the words "subsection five (5), Code 1971, is
11 amended to read as follows:".

12 4. Page 6, by striking lines 33, 34, and 35.

13 5. By striking all of pages 7 through 11, inclusive.

14 6. Page 12, by striking lines 1 through 31, inclusive.

15 7. Page 12, line 33, by striking the word "by" and
16 inserting in lieu thereof the words "to read as follows:".

17 8. Page 12, by striking line 34 and inserting in lieu
18 thereof the following:

19 "2. Receive neglected, dependent, and delinquent chil-
20 dren [under twenty-one and over] eighteen years of age, under
21 commitment from the juvenile court, and control and dispose
22 of them as in this chapter provided."

23 9. Page 13, by striking lines 2 through 17 and inserting
24 in lieu thereof the following:

25 240.2 [CHILDREN OVER] **MINORS EIGHTEEN YEARS OLD**
—SCHOOL

26 **FOR YOUNGER CHILDREN.** Any reputable citizen of the county
27 may file a petition with the juvenile court as provided
28 in chapter 232, against any neglected, dependent, or delin-
29 quent minor [child] who is [over the age of] eighteen years
30 of age and therein ask that said [child] *minor* be committed
31 to any institution named in section 238.32, or otherwise
32 dealt with as may appear best for the welfare of said child,
33 and in such case the procedure shall, so far as applicable,
34 be as provided in said chapter, except that such [child]
35 *minor* shall not be committed thereunder to any state
36 institution.

37 All children in such institutions, over seven years and
38 under fourteen years of age, shall be kept in school during
39 the school sessions of the district in which such child is
40 kept, or in some parochial school for a like period.

41 10. Page 17, by striking lines 18 through 30 inclusive.

42 11. Page 17, by striking from line 35 the words "[, and
43 females, after reaching the]" and inserting in lieu thereof
44 the words ", and females, after reaching the".

45 12. Page 18, by striking lines 1 and 2 and inserting in
46 lieu thereof the words "age of eighteen years, may make
47 valid contracts for marriage the same as adults."

48 13. Page 19, by striking lines 4 and 5.

49 14. By adding the following new sections:

50 1. "Section two hundred thirty-two point sixty-seven

51 (232.67), Code 1971, is amended to read as follows:

52 232.67 LIMITED JURISDICTION. Jurisdiction obtained by
53 the court in the case of a minor shall be retained by the
54 court until the minor becomes [twenty-one] *nineteen* years of
55 age unless terminated prior thereto by order of court or
56 provision of law. When a minor eighteen years of age
57 [or over] under the jurisdiction of the court is convicted of
58 an indictable offense in a criminal court, the conviction
59 shall terminate the jurisdiction of the juvenile court."

60 2. "Section two hundred forty-seven point twenty-seven

61 (247.27), Code 1971, is amended to read as follows:

62 247.27 VIOLATION OF COURT PROBATION. If the suspended
63 sentence be an order for commitment to the training school,
64 the fact that the defendant first violated his or her
65 probation after reaching the age of eighteen years, and
66 before reaching the age of [twenty-one] *nineteen* years, shall
67 not prevent the enforcement of such sentence."

68 15. By renumbering the sections as necessary.

KEHE of Bremer
CHRISTENSEN of Union

On motion by Varley of Adair, the House adjourned until
9:00 a.m., Thursday, January 13, 1972.

JOURNAL OF THE HOUSE

Fourth Calendar Day—Fourth Session Day

HALL OF THE HOUSE OF REPRESENTATIVES
DES MOINES, IOWA, THURSDAY, JANUARY 13, 1972

The House met pursuant to adjournment, Speaker Harbor in the chair.

Prayer was offered by the Reverend Ralph Hanson, pastor of the First Lutheran Church, Des Moines, Iowa.

The Journal of Wednesday, January 12, 1972, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. James D. Kimball, Osceola.

PRESENTATION OF VISITORS

Middleswart of Warren presented to the House the Honorable Russell Hellman, member of the House of Representatives, State of Michigan.

Kinley of Polk presented to the House the Honorable Bernard O'Malley, former member of the House in the Sixty-first and Sixty-second General Assemblies, representing Polk County.

Rodgers of Dallas presented to the House the Honorable Kenneth Robinson, former member of the House in the Sixty-first General Assembly, representing Audubon and Guthrie Counties.

The Speaker announced that the following visitors were present in the House chamber:

Thirteen senior students from Diagonal High School, Diagonal, Iowa, accompanied by their teacher, David Wyckoff. By Christensen of Union.

ADOPTION OF COMMITTEE REPORTS

The Chief Clerk announced the adoption of reports of committees on House Files 472 and 495, under Rule 35.

ADOPTION OF HOUSE MEMORIAL RESOLUTION

Menefee of Fayette offered the following House memorial resolution and moved its adoption:

HOUSE MEMORIAL RESOLUTION

Whereas, The Honorable William F. Byers of Fayette County, who was a member of the Forty-third General Assembly from Fayette County, passed away on February 25, 1969; now, therefore,

Be It Resolved by the House of Representatives, That a committee of three be appointed by the Speaker of the House to prepare suitable resolutions commemorating his life, character, and service to the state.

The motion prevailed and the Speaker appointed as such committee Menefee of Fayette, Mendenhall of Allamakee and Tieden of Clayton.

HOUSE CONCURRENT RESOLUTION 103

By Lipsky, Egenes, Franklin, McElroy,
Miller, Sargisson, and Shaw

Whereas, the protection of society and the rehabilitation of the female inmates concerns the penal and correctional system in Iowa; and

Whereas, the inmate population at the women's reformatory has been declining in recent years; and

Whereas, the Governor's economy committee has recommended that the present use of the women's reformatory be discontinued, and that the State Department of Social Services assign women to short-term area correctional and mental health facilities for rehabilitation and probationary purposes; and

Whereas, the existing penal and correctional systems study committee consists primarily of legislative and nonlegislative male members, *Now Therefore*,

Be It Resolved by the House of Representatives, the Senate Concurring, That the Legislative Council is authorized to create a study committee, as provided by law, which shall consist primarily of female members of the appropriate standing committees of the House of Representatives and the Senate and primarily of female nonlegislative members having special knowledge in the field of correctional and rehabilitation facilities for women, to conduct during the 1972-1973 legislative interim a comprehensive study of the women's correctional system in Iowa. The study shall include, but not be limited to, a review and revision of penal statutes, present programs and facilities at the women's reformatory; assignments of inmates; the programs which should be implemented for the treatment of adult and juvenile women offenders; and recommendations regarding a five-year expenditures program for the reorganization of the penal and correctional system; and

Be It Further Resolved, That in conjunction with the existing Penal and Correctional Systems Study Committee, the committee studying the women's correctional system shall prepare and submit a report of the study to the legislative council and to the members of the Sixty-fifth General Assembly,

First Session. The report shall be accompanied by legislative bill drafts designed to carry out the recommendations of the committee.

Laid over under Rule 25.

INTRODUCTION OF BILLS

House File 1012, by committee on county government, a bill for an act requiring posting of bond in conjunction with petition to establish a rural water district.

Read first time and placed on the calendar.

House File 1013, by committee on county government, a bill for an act relating to support payments as the result of a dissolution of marriage.

Read first time and placed on the calendar.

House File 1014, by committee on county government, a bill for an act relating to disposition of obsolete instruments in the county recorder's office.

Read first time and placed on the calendar.

House File 1015, by committee on county government, a bill for an act relating to disposition of obsolete copies of hunting, fishing and trapping licenses.

Read first time and placed on the calendar.

House File 1016, by Camp and Lipsky, a bill for an act relating to the use of fees and funds received by the Iowa soldiers home.

Read first time and referred to committee on appropriations.

CONSIDERATION OF BILL

REGULAR CALENDAR

Fisher of Greene asked and received unanimous consent for the immediate consideration of **House File 1011**, a bill for an act relating to the attainment of the age of majority, with report of committee recommending passage.

Kehe of Bremer offered the following amendment filed by him and Christensen of Union:

Amend House File 1011 as follows:

1. By striking the word "eighteen" whenever it appears and inserting in lieu thereof the word "nineteen".
2. Page 6, by striking lines 26 and 27 and inserting in lieu thereof the words "subsection four (4), Code 1971, is amended to read as follows:

4. 'Minor' means a person less than [twenty-one] *nineteen* years of age."

3. Page 6, by striking lines 29 and 30 and inserting in lieu thereof the words "subsection five (5), Code 1971, is amended to read as follows:"

4. Page 6, by striking lines 33, 34, and 35.

5. By striking all of pages 7 through 11, inclusive.

6. Page 12, by striking lines 1 through 31, inclusive.

7. Page 12, line 33, by striking the word "by" and inserting in lieu thereof the words "to read as follows:"

8. Page 12, by striking line 34 and inserting in lieu thereof the following:

"2. Receive neglected, dependent, and delinquent children [under twenty-one and over] eighteen years of age, under commitment from the juvenile court, and control and dispose of them as in this chapter provided."

9. Page 13, by striking lines 2 through 17 and inserting in lieu thereof the following:

240.2 [CHILDREN OVER] *MINORS EIGHTEEN YEARS OLD—*
SCHOOL

FOR YOUNGER CHILDREN. Any reputable citizen of the county may file a petition with the juvenile court as provided in chapter 232, against any neglected, dependent, or delinquent minor [child] who is [over the age of] eighteen years of age and therein ask that said [child] *minor* be committed to any institution named in section 238.32, or otherwise dealt with as may appear best for the welfare of said child, and in such case the procedure shall, so far as applicable, be as provided in said chapter, except that such [child] *minor* shall not be committed thereunder to any state institution.

All children in such institutions, over seven years and under fourteen years of age, shall be kept in school during the school sessions of the district in which such child is kept, or in some parochial school for a like period.

10. Page 17, by striking lines 18 through 30 inclusive.

11. Page 17, by striking from line 35 the words "[, and females, after reaching the]" and inserting in lieu thereof the words ", and females, after reaching the".

12. Page 18, by striking lines 1 and 2 and inserting in lieu thereof the words "age of eighteen years, may make valid contracts for marriage the same as adults."

13. Page 19, by striking lines 4 and 5.

14. By adding the following new sections:

1. "Section two hundred thirty-two point sixty-seven (232.67), Code 1971, is amended to read as follows:

232.67 LIMITED JURISDICTION. Jurisdiction obtained by the court in the case of a minor shall be retained by the court until the minor becomes [twenty-one] *nineteen* years of age unless terminated prior thereto by order of court or provision of law. When a minor eighteen years of age [or over] under the jurisdiction of the court is convicted of

an indictable offense in a criminal court, the conviction shall terminate the jurisdiction of the juvenile court."

2. "Section two hundred forty-seven point twenty-seven (247.27), Code 1971, is amended to read as follows:

247.27 VIOLATION OF COURT PROBATION. If the suspended sentence be an order for commitment to the training school, the fact that the defendant first violated his or her probation after reaching the age of eighteen years, and before reaching the age of [twenty-one] *nineteen* years, shall not prevent the enforcement of such sentence."

15. By renumbering the sections as necessary.

Kehe of Bremer offered from the floor the following amendment to the Kehe, Christensen amendment and moved its adoption:

Amend the Kehe, Christensen amendment to House File 1011, filed January 12, 1972, by adding after line 67 the following:

"3. Section two hundred thirty-two point thirty-six (232.36), Code 1971, is amended to read as follows:

232.36 ORDERS CONTINUE TO MAJORITY OF CHILD. All orders for supervision, custody, or commitment shall be enforced until the minor reaches the age of [twenty-one] *nineteen* years unless otherwise specified by the court. All orders shall be reviewed by the court at least annually unless the court's jurisdiction has been terminated. The court may make on its motion or on the motion of an interested party and after notice to the parties and a hearing some other disposition of the case so long as the court retains jurisdiction."

A non-record roll call was requested.

The ayes were 60, nays 22.

The amendment to the amendment was adopted.

Kehe of Bremer moved the adoption of the amendment as amended.

Roll call was requested by Kehe of Bremer and Christensen of Union.

On the question "Shall the amendment as amended be adopted?"

The ayes were, 21:

Andersen	Kruse	Radl	Tieden
Campbell	Mendenhall	Rex	Trowbridge
Christensen	Menefee	Sargisson	Welden
Dunton	Miller	Stanley	Wells
Grassley	Pellett	Strothman	Wyckoff
Kehe			

The nays were, 70:

Alt	Fisher, C.R.	McCormick	Schwartz
Anania	Franklin	McElroy	Schwieger
Bennett	Gluba	Middleswart	Scott
Bergman	Hamilton	Millen	Shaw
Blouin	Hansen	Moffitt	Siglin
Bray	Hill	Mollett	Small
Camp	Holden	Monroe	Sorg
Clark	Husak	Norpel	Stokes
Cochran	Jesse	Nystrom	Strand
Curtis	Johnston	Patton	Taylor
Dougherty	Kelly	Pelton	Uban
Doyle	Kinley	Pierson	Varley
Drake	Knoblauch	Priebe	Waugh
Edelen	Knoke	Rodgers	Willits
Egenes	Kreamer	Roorda	Winkelman
Ellsworth	Larson	Schmeiser	Wirtz
Ewell	Logemann	Schroeder	Mr. Speaker
Fischer, H. O.	Mayberry		

Absent or not voting, 9:

Den Herder	Kennedy	Lipsky	Skinner
Freeman	Lawson	Nielsen	Stromer
Goode			

The amendment as amended lost.

Den Herder of Sioux offered the following amendment filed by Den Herder, et al., and moved its adoption:

Amend House File 1011 as follows:

1. Page 4, by striking all of lines 18 through 23.
2. By renumbering the subsequent sections.

Roll call was requested by Kehe of Bremer and Fisher of Greene.

On the question "Shall the amendment be adopted?"

The ayes were, 25:

Anania	Dunton	Middleswart	Sargisson
Andersen	Fischer, H. O.	Miller	Scott
Bergman	Grassley	Nielsen	Stokes
Campbell	Kruse	Pellett	Strothman
Den Herder	Mendenhall	Radl	Wells
Doyle	Menefee	Rex	Wyckoff
Drake			

The nays were, 71:

Alt	Egenes	Husak	Lipsky
Bennett	Ellsworth	Jesse	Logemann
Blouin	Ewell	Johnston	Mayberry
Bray	Fisher, C. R.	Kehe	McCormick
Camp	Franklin	Kelly	McElroy
Christensen	Freeman	Kinley	Millen
Clark	Gluba	Knoblauch	Moffitt
Cochran	Hamilton	Knoke	Mollett
Curtis	Hansen	Kreamer	Monroe
Dougherty	Hill	Larson	Norpel
Edelen	Holden	Lawson	Nystrom

Patton	Schroeder	Stanley	Waugh
Pelton	Schwartz	Strand	Welden
Pierson	Schwieger	Taylor	Willits
Priebe	Shaw	Tieden	Winkelman
Rodgers	Siglin	Trowbridge	Wirtz
Roorda	Small	Uban	Mr. Speaker
Schmeiser	Sorg	Varley	

Absent or not voting, 4:

Goode	Kennedy	Skinner	Stromer
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The amendment lost.

Andersen of Woodbury offered the following amendment filed by him:

Amend House File 1011 by striking from page 4, line 22, the word "eighteen" and inserting in lieu thereof the word "nineteen".

Fisher of Greene rose on a point of order that the subject matter of the Andersen amendment had been previously considered and lost.

The Speaker ruled the point well taken and the amendment out of order.

Uban of Black Hawk offered the following amendment filed by him and moved its adoption:

Amend House File 1011, page 4, by striking all of lines 22 and 23, inserting in lieu thereof the following:

33. "Legal age" means twenty-one years of age or more with regard to the purchase or consumption of alcoholic liquor, and eighteen years of age or more with regard to purchase or consumption of beer.

The amendment lost.

Uban of Black Hawk offered from the floor the following amendment:

Amend House File 1011, page 4, as follows:

1. By inserting after line 23 the following:

"Sec. 8. There is hereby appropriated from the general fund 5% of the net profit of the Iowa Liquor Commission to the Iowa Commission on Alcoholism. Each time the comptroller transfers funds from the liquor fund to the general fund, he shall also transfer 5% of that amount to the Iowa Commission on Alcoholism."

2. By renumbering the following sections.

Fisher of Greene rose on a point of order that the amendment was not germane.

The Speaker ruled the point well taken and the amendment out of order.

Lipsky of Linn offered from the floor the following amendment filed by Lipsky, Knoke, Kelly and Pelton and moved its adoption:

Amend House File 1011, page 10, by striking all of lines 17 through 26.

The amendment was adopted.

Fisher of Greene offered the following amendment filed by him and moved its adoption:

Amend House File 1011 as follows:

1. Page 10, line 34, by striking the word "minor" and inserting the words "[minor] child".

2. By adding the following new section:

Section one hundred forty-two A point two (142A.2), subsection one (1), Code 1971, is amended to read as follows:

1. Any individual of sound mind and [twenty-one] *eighteen* years of age or more may give all or any part of his body for any purposes specified in section one hundred forty-two A.3 (142A.3), the gift to take effect upon death.

3. By renumbering the sections as necessary.

The amendment was adopted.

Dougherty of Monroe offered from the floor the following amendment filed by him and Schroeder of Pottawattamie and moved its adoption:

Amend House File 1011 as follows:

1. Page 14, by striking lines 18 through 25, inclusive.

2. Page 15, by striking lines 23 through 35, inclusive.

3. Page 16, by striking lines 1, 2, and 3.

4. By renumbering the sections as necessary.

The amendment lost.

Rex of Hamilton offered from the floor the following amendment filed by him and Strand of Poweshiek and moved its adoption:

Amend House File 1011, page 17, by inserting after the period in line 24 the following: "If either parent is incompetent or his whereabouts is unknown, the judge of the district court having jurisdiction in the county may, after hearing, upon proper cause shown, execute such certificate."

The amendment was adopted.

Doyle of Woodbury offered the following amendment filed by him and moved its adoption:

Amend House File 1011, page 18, line 28 by striking the word "divorce" and inserting in lieu thereof the word "[divorce] dissolution".

The amendment was adopted.

Schroeder of Pottawattamie offered the following Schroeder, et al., amendment:

Amend House File 1011 as follows:

1. By adding the following new section:

Section two hundred thirty-nine point one (239.1), subsection three (3), Code 1971, is amended to read as follows:

3. A "dependent child" means a needy child under the age of sixteen years, or under the age of [twenty] *eighteen* years and a student regularly attending a high school in pursuance of a course of study leading to a high school diploma or its equivalent, or regularly attending a course of vocational or technical training designed to fit him for gainful employment, who has been deprived of parental support and care by reason of death, continued absence from home, or physical or mental incapacity or unfitness of either parent, and who is living with his father, mother, grandfather, grandmother, brother, sister, stepfather, stepmother, stepbrother, stepsister, uncle or aunt, in a place of residence maintained by one or more of such relatives as his or their home or has been placed in a licensed foster home or with a public or nonprofit child-care agency by the state division or by the county department of social welfare in lieu of living with any relative designated in this subsection.

2. By renumbering the sections as necessary.

Kelly of Woodbury rose on a point of order that the amendment was not germane.

The Speaker ruled the point well taken.

Rodgers of Dallas offered from the floor the following amendment:

Amend House File 1011 as follows:

Page 19, by adding the following new section:

"Sec. The attorney general shall, in cooperation with the department of public instruction, prepare and distribute to all high schools of this state for the use of high school seniors, a pamphlet explaining the laws regarding the use of alcoholic liquor and beer as they affect persons eighteen years of age and older, including but not limited to

the use of alcoholic liquor and beer while operating a motor vehicle."

Fisher of Greene rose on a point of order that the amendment was not germane.

The Speaker ruled the point well taken.

Fisher of Greene moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1011)

The ayes were, 92:

Alt	Franklin	McElroy	Schwartz
Andersen	Freeman	Mendenhall	Schwieger
Bennett	Gluba	Menefee	Scott
Bergman	Grassley	Middleswart	Shaw
Blouin	Hamilton	Millen	Siglin
Bray	Hansen	Miller	Small
Camp	Hill	Moffitt	Sorg
Campbell	Holden	Mollett	Stanley
Christensen	Husak	Monroe	Stokes
Clark	Jesse	Nielsen	Strand
Cochran	Johnston	Norpel	Strothman
Curtis	Kelly	Nystrom	Taylor
Den Herder	Kinley	Patton	Tieden
Dougherty	Knoblauch	Pellett	Trowbridge
Doyle	Knoke	Pelton	Uban
Drake	Kreamer	Pierson	Varley
Dunton	Kruse	Priebe	Waugh
Edelen	Larson	Rex	Welden
Egenes	Lawson	Rodgers	Wells
Ellsworth	Lipsky	Roorda	Willits
Ewell	Logemann	Sargisson	Winkelman
Fischer, H. O.	Mayberry	Schmeiser	Wirtz
Fisher, C. R.	McCormick	Schroeder	Mr. Speaker

The nays were, 4:

Anania	Kehe	Radl	Wyckoff
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Absent or not voting, 4:

Goode	Kennedy	Skinner	Stromer
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 323 WITHDRAWN

Blouin of Dubuque asked and received unanimous consent to withdraw House File 323 from further consideration by the House.

REPORT OF COMMITTEE

Schwieger of Black Hawk, from the committee on transportation, submitted the following report:

MR. SPEAKER: Your committee on transportation, to whom was referred House File 629, a bill for an act relating to temporary restrictions on weight and load of motor vehicles, and to provide penalties for violation of temporary restrictions, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same do pass.

SCHWIEGER of Black Hawk, Chairman

AMENDMENT FILED

1 Amend Senate File 428 as amended, passed, and reprinted,
2 as follows:

3 1. Page 3, line 35, by striking the word "January", and
4 inserting in lieu thereof the word "July".

5 2. Page 4, line 12, by inserting after the period the
6 following new paragraph:

7 "The electors residing within a judicial district may
8 petition the judges of the district court to terminate the
9 appointment of a district magistrate sitting in that dis-
10 trict. Such petition shall be signed by at least two per-
11 cent of the qualified electors of the judicial district and
12 shall contain a general statement of the grounds upon which
13 termination is sought. Within thirty days after the petition
14 is filed with the clerk of the district court of the county
15 in which the district magistrate resides, the district
16 judges of that district sitting en banc shall hold a hearing
17 to determine the sufficiency and the merits of such petition
18 and shall determine whether to continue or terminate the
19 appointment of such district magistrate."

20 3. Page 4, lines 16 and 17, by striking the words "shall
21 be admitted to the practice of law in Iowa or".

22 4. Page 4, lines 21 and 22, by striking the words "or
23 court fund of the county or counties regularly served by
24 him" and inserting in lieu thereof the words "fund of the
25 state".

26 5. Page 4, lines 27 and 28, by striking the words
27 "proper county auditor" and inserting in lieu thereof the
28 words "state comptroller".

29 6. Page 8, line 1, by striking the word "January", and
30 inserting in lieu thereof the word "July".

31 7. Page 14, lines 5 and 6, by striking the words
32 "county treasurer and be credited to the general fund of
33 the county", and inserting in lieu thereof the words
34 "treasurer of state and credited to the general fund of
35 the state".

36 8. Page 81, line 15, by striking the word "January",
37 and inserting in lieu thereof the word "July".

38 9. Page 81, line 16, by inserting after the period the
39 following new section:

40 "Sec. The budget for the district courts shall be

41 submitted pursuant to Chapter eight (8) of the Code and
42 shall provide for full implementation of the provisions of
43 this Act."

CAMP of Clinton

On motion by Varley of Adair, the House adjourned until
9:00 a.m., Friday, January 14, 1972.

JOURNAL OF THE HOUSE

Fifth Calendar Day—Fifth Session Day

HALL OF THE HOUSE OF REPRESENTATIVES
DES MOINES, IOWA, FRIDAY, JANUARY 14, 1972

The House met pursuant to adjournment, Speaker Harbor in the chair.

Prayer was offered by the Reverend Basil Grimes, pastor of the Westminster United Presbyterian Church, Des Moines, Iowa.

The Journal of Thursday, January 13, 1972, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Dennis Walter, Des Moines, Iowa.

BIRTHDAY CONGRATULATIONS

Tieden of Clayton rose on a point of personal privilege and on behalf of the House extended to the Honorable William P. Winkelman a "Happy Birthday."

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Ninety Girl Scouts from Walker, Coggan, Center Point and Troy Mills, accompanied by their leaders, Mrs. Bob Morareud, Mrs. Don Warner and Mrs. Don Cook. By Sorg of Linn.

Eighty government class students from Eddyville High School, Eddyville, Iowa, accompanied by their teachers, Dennis Hiner and Chris Schreurs. By Pierson of Mahaska.

ADOPTION OF COMMITTEE REPORT

The Chief Clerk announced the adoption of report of committee on House File 629, under Rule 35.

INTRODUCTION OF BILLS

House File 1017, by Rodgers, a bill for an act relating to the creation of a special liquor control license for the sale of wine only for commercial establishments whose principal business is the sale of food.

Read first time and referred to committee on law enforcement.

House File 1018, by Kelly, a bill for an act relating to the issuance of special motor vehicle registration plates to persons whose drivers license has been mandatorily revoked.

Read first time and referred to committee on law enforcement.

House File 1019, by Kelly and Hansen, a bill for an act relating to the hunting of migratory game birds, the issuance of stamps, the collection of fees, the allocation of funds for projects, and the imposition of penalties for violations.

Read first time and referred to committee on conservation and recreation.

House File 1020, by Monroe, a bill for an act relating to the rate of interest assessed as a penalty on mobile home taxes.

Read first time and referred to committee on ways and means.

House File 1021, by Bennett, a bill for an act relating to the width of vehicles on roads and highways.

Read first time and referred to committee on transportation.

House File 1022, by Blouin, a bill for an act relating to the sale, use and labeling of detergent products.

Read first time and referred to committee on environmental preservation.

ADOPTION OF HOUSE MEMORIAL RESOLUTIONS

Lawson of Cerro Gordo offered the following House memorial resolution and moved its adoption:

HOUSE MEMORIAL RESOLUTION

Whereas, The Honorable Harold E. Wolfe of Cerro Gordo County, who was a member of the Sixty-second and Sixty-third sessions of the General Assembly from Cerro Gordo County, passed away on November 29, 1971; now, therefore,

Be It Resolved by the House of Representatives, That a committee of three be appointed by the Speaker of the House to prepare suitable resolutions commemorating his life, character, and service to the state.

The motion prevailed and the Speaker appointed as such committee Lawson of Cerro Gordo, Logemann of Worth and Stromer of Hancock.

Hamilton of Cedar offered the following House memorial resolution and moved its adoption:

HOUSE MEMORIAL RESOLUTION

Whereas, The Honorable D. A. (Jiggs) Donohue of Cedar County, who was a member of the Fiftieth, Fiftieth Extra, Fifty-first, Fifty-second, Fifty-second Extra and Fifty-third sessions of the General Assembly from Cedar County, passed away on November 16, 1971; now, therefore,

Be It Resolved by the House of Representatives, That a committee of three be appointed by the Speaker of the House to prepare suitable resolutions commemorating his life, character, and service to the state.

The motion prevailed and the Speaker appointed as such committee Hamilton of Cedar, Drake of Muscatine and Dunton of Keokuk.

HOUSE JOINT RESOLUTION 5 WITHDRAWN

Gluba of Scott asked and received unanimous consent that **House Joint Resolution 5** be withdrawn from further consideration by the House.

SENATE FILE 85 RE-REFERRED

The Speaker announced that **Senate File 85**, previously referred to the committee on appropriations was re-referred to the committee on **environmental preservation**.

ANNOUNCEMENT BY THE CHIEF CLERK

The following named person is an accredited member of the press and is entitled to a seat in the West Press Gallery:

Roger Munns, Davenport Times-Democrat

CONSIDERATION OF BILLS

REGULAR CALENDAR

House File 495, a bill for an act relating to aid to dependent children and providing penalties for violations, with report of committee recommending amendment and passage, was taken up for consideration.

Knocke of Pottawattamie offered the following amendment filed by the committee on social services and moved its adoption:

Amend House File 495, pages 2 and 3, by striking section 3.

A non-record roll call was requested.

The ayes were 23, nays 48.

The amendment lost.

Knoke of Pottawattamie offered the following amendment filed by him and moved its adoption:

Amend House File 495 as follows:

1. Page 3, line 13, by striking the word "evidence" and inserting in lieu thereof the words "a judicial determination".

2. Page 3, line 19, by inserting before the word "income" the word "unreported".

The amendment was adopted.

Knoke of Pottawattamie asked and received unanimous consent to withdraw the amendment filed by him on March 29, 1971, and found on page 748 of the House Journal.

Knoke of Pottawattamie moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 495)

The ayes were, 76:

Alt	Fisher, C. R.	Menefee	Skinner
Anania	Gluba	Middleswart	Small
Andersen	Hamilton	Millen	Stanley
Bennett	Hansen	Miller	Stokes
Bergman	Holden	Moffitt	Strand
Camp	Husak	Mollett	Strothman
Campbell	Johnston	Nielsen	Taylor
Christensen	Kehe	Norpel	Tieden
Clark	Kelly	Nystrom	Trowbridge
Cochran	Knoblauch	Patton	Uban
Curtis	Knoke	Pellett	Varley
Den Herder	Kreamer	Pierson	Waugh
Dougherty	Kruse	Priebe	Welden
Doyle	Lawson	Radl	Wells
Drake	Logemann	Rex	Willits
Dunton	Mayberry	Rodgers	Winkelman
Edelen	McCormick	Sargisson	Wirtz
Egenes	McElroy	Schroeder	Wyckoff
Ellsworth	Mendenhall	Siglin	Mr. Speaker

The nays were, 8:

Blouin	Franklin	Jesse	Monroe
Bray	Hill	Larson	Scott

Absent or not voting, 16:

Ewell	Grassley	Pelton	Schwieger
Fischer, H. O.	Kennedy	Roorda	Shaw
Freeman	Kinley	Schmeiser	Sorg
Goode	Lipsky	Schwartz	Stromer

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

On motion by Varley of Adair, the House adjourned until 10:00 a.m., Monday, January 17, 1972.

JOURNAL OF THE HOUSE

Eighth Calendar Day—Sixth Session Day

HALL OF THE HOUSE OF REPRESENTATIVES
DES MOINES, IOWA, MONDAY, JANUARY 17, 1972

The House met pursuant to adjournment, Speaker Harbor in the chair.

Prayer was offered by the Reverend Raymond Roden, pastor of the Lutheran Church, Webster City, Iowa.

The Journal of Friday, January 14, 1972, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Lawrence Larson, Harlan.

PRESENTATION OF VISITORS

Cochran of Webster presented to the House the Honorable Dan Johnston, former member of the House in the Sixty-second General Assembly, representing Polk County.

PETITION FILED

The following petition was received and placed on file:

By Camp of Clinton, from sixteen residents of Clinton County opposing pari-mutuel gambling, tax funds for parochial and private schools and the taxation of churches.

INTRODUCTION OF BILLS

House File 1023, by Bennett, a bill for an act relating to voting by absentee ballots by members of credit unions.

Read first time and referred to committee on **commerce**.

House File 1024, by Middleswart, a bill for an act relating to department of revenue enforcement officers.

Read first time and referred to committee on **state government**.

House File 1025, by Knoblauch, a bill for an act relating to the appointment of certain township officers.

Read first time and referred to committee on **county government**.

House File 1026, by Fischer of Grundy, a bill for an act providing for publication of notice within a county by the highway commission prior to commencement of the construction or improvements on a highway in that county.

Read first time and referred to committee on **transportation**.

House File 1027, by Uban, Ewell, Trowbridge, Middleswart, Monroe, Rodgers, Edelen and Strand, a bill for an act relating to cigarette retailers.

Read first time and referred to committee on **commerce**.

House File 1028, by Sorg and Tieden, a bill for an act permitting the sale of mobile homes on Sundays.

Read first time and referred to committee on **commerce**.

House File 1029, by Doyle, a bill for an act relating to the mandatory revocation of the drivers license of persons convicted of possession of a controlled substance in a motor vehicle.

Read first time and referred to committee on **law enforcement**.

House File 1030, by Blouin, a bill for an act relating to anti-trust fees for prosecutors.

Read first time and referred to committee on **judiciary**.

House File 1031, by Winkelman, Tieden, Strothman, Kruse, Pierson, Mendenhall, Radl, Priebe and Nielsen (Graham, Van Gilst, Stephens, Balloun, Smith and Nicholson), a bill for an act to free property owners and others from civil liability in case of injury to trespassers.

Read first time and referred to committee on **judiciary**.

House File 1032, by Pellett, Grassley, Waugh, Tieden, Stromer, Rodgers and Radl, a bill for an act relating to resignations of school board members.

Read first time and referred to committee on **schools**.

ANNOUNCEMENT BY THE CHIEF CLERK

There is on file in the office of the Chief Clerk a Ten-Year Building Program of the State Board of Regents for the period 1972-1982 as required by chapter 262A, Code of Iowa 1971.

CONSIDERATION OF BILL
HOUSE FILE 629 PENDING
REGULAR CALENDAR

House File 629, a bill for an act relating to temporary restrictions on weight and load of motor vehicles, and to provide penalties for violation of temporary restrictions, with report of committee recommending passage, was taken up for consideration.

Schroeder of Pottawattamie offered the following amendment by Schroeder, Holden and Knoke from the floor and moved its adoption:

Amend House File 629 as follows:

1. Page 2, line 21, by inserting after the word "value" the following words:

"or to move to any farm feeds or fuel necessary for farm operations or fuel for home heating purposes".

2. Page 3, line 20, by inserting after the word "produce" the following words:

"or moving to any farm feeds or fuel necessary for farm operations or fuel for home heating purposes".

The amendment was adopted.

Speaker pro tempore Millen in the chair at 11:59 a.m.

(House File 629 pending at adjournment.)

REPORT OF COMMITTEE

Camp of Clinton, from the committee on appropriations, submitted the following report:

MR. PRESIDENT: Your committee on appropriations, to whom was referred House File 1016, a bill for an act relating to the use of fees and funds received by the Iowa soldiers home, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same **do pass**.

CAMP of Clinton, Chairman

On motion by Varley of Adair, the House adjourned until 9:00 a.m., Tuesday, January 18, 1972.

JOURNAL OF THE HOUSE

Ninth Calendar Day—Seventh Session Day

HALL OF THE HOUSE OF REPRESENTATIVES
DES MOINES, IOWA, TUESDAY, JANUARY 18, 1972

The House met pursuant to adjournment, Speaker Harbor in the chair.

Prayer was offered by the Reverend H. I. Thomas, pastor of the Union Baptist Church, Des Moines, Iowa.

The Journal of Monday, January 17, 1972, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Doctor Lawrence Larson, Harlan.

PETITION FILED

The following petition was received and placed on file:

By Harbor of Mills, from nine members of the St. Patrick's School Board, Sheldon, Iowa, and six members of the Sioux County Board of Education favoring intermediate school service agencies.

ADOPTION OF COMMITTEE REPORT

The Chief Clerk announced the adoption of report of committee on House File 1016, under Rule 35.

INTRODUCTION OF BILLS

House File 1033, by committee on commerce, a bill for an act relating to the regulation of liquid transport carriers.

Read first time and placed on the calendar.

House File 1034, by Christensen, a bill for an act relating to the purchase of corn and soybeans and providing penalties.

Read first time and referred to committee on agriculture.

House File 1035, by Stanley, Wells, Lipsky, Radl and Sorg (Robinson, Riley and Potter), a bill for an act relating to money advances by county boards of supervisors to county conservation boards from money in the county general funds.

Read first time and referred to committee on **county government**.

ANNOUNCEMENTS BY THE SPEAKER

At the request of Representative Dewey E. Goode, Davis County, the Speaker announced the following committee assignments:

Hamilton of Cedar as a member of the transportation subcommittee of the committee on appropriations.

Schwieger of Black Hawk as a member of the Department of Transportation study committee.

The Speaker announced the following committee assignment:
Hamilton of Cedar as a member of the committee on appropriations.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 102

Lipsky of Linn called up for consideration **House Concurrent Resolution 102**, filed on January 11, 1972, and found on page 24 of the House Journal, and moved its adoption.

Motion prevailed and the resolution was adopted.

CONSIDERATION OF BILLS

BUSINESS PENDING.

The House resumed consideration of **House File 629**, a bill for an act relating to temporary restrictions on weight and load of motor vehicles, and to provide penalties for violation of temporary restrictions.

Welden of Hardin moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 629)

The ayes were, 75:

Anania	Dunton	Kruse	Mollett
Andersen	Edelen	Larson	Nielsen
Bennett	Egenes	Lawson	Norpel
Bergman	Ellsworth	Lipsky	Nystrom
Blouin	Fisher, C. R.	Mayberry	Patton
Campbell	Grassley	McCormick	Pellett
Christensen	Hamilton	McElroy	Pelton
Cochran	Hansen	Mendenhall	Pierson
Curtis	Kehe	Menefee	Priebe
Den Herder	Kelly	Middleswart	Radi
Dougherty	Knoblauch	Millen	Rodgers
Doyle	Knoke	Miller	Roorda
Drake	Kreamer	Moffitt	Sargisson

Schmeiser	Stanley	Tieden	Willits
Schroeder	Stokes	Trowbridge	Winkelman
Schwartz	Strand	Varley	Wirtz
Schwieger	Stromer	Waugh	Wyckoff
Scott	Strothman	Welden	Mr. Speaker
Siglin	Taylor	Wells	

The nays were, 10:

Bray	Gluba	Kinley	Small
Camp	Hill	Monroe	Sorg
Clark	Husak		

Absent or not voting, 15:

Alt	Freeman	Johnston	Shaw
Ewell	Goode	Kennedy	Skinner
Fischer, H. O.	Holden	Logemann	Uban
Franklin	Jesse	Rex	

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

REGULAR CALENDAR

House File 1015, a bill for an act relating to disposition of obsolete copies of hunting, fishing and trapping licenses, was taken up for consideration.

Siglin of Lucas moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On question "Shall the bill pass?" (H.F. 1015)

The ayes were, 92:

Anania	Gluba	Menefee	Schwieger
Andersen	Grassley	Middleswart	Scott
Bennett	Hamilton	Millen	Shaw
Bergman	Hansen	Miller	Siglin
Blouin	Hill	Moffitt	Small
Bray	Husak	Mollett	Sorg
Camp	Jesse	Monroe	Stanley
Campbell	Johnston	Nielsen	Stokes
Christensen	Kehe	Norpel	Strand
Clark	Kelly	Nystrom	Stromer
Cochran	Kinley	Patton	Strothman
Curtis	Knoblauch	Pellett	Taylor
Den Herder	Knoke	Pelton	Tieden
Dougherty	Kreamer	Pierson	Trowbridge
Doyle	Kruse	Priebe	Varley
Drake	Larson	Radl	Waugh
Dunton	Lawson	Rex	Welden
Edelen	Lipsky	Rodgers	Wells
Egenes	Logemann	Roorda	Willits
Ellsworth	Mayberry	Sargisson	Winkelman
Fischer, H. O.	McCormick	Schmeiser	Wirtz
Fisher, C. R.	McElroy	Schroeder	Wyckoff
Freeman	Mendenhall	Schwartz	Mr. Speaker

The nays were, none.

Absent or not voting, 8:

Alt	Franklin	Holden	Skinner
Ewell	Goode	Kennedy	Uban

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

House File 1012, a bill for an act requiring posting of bond in conjunction with petition to establish a rural water district, was taken up for consideration.

Rex of Hamilton offered the following amendment from the floor and moved its adoption:

Amend House File 1012 as follows:

Page 1, line 8, by striking the word "conditioned" and inserting in lieu thereof the word "sufficient".

The amendment was adopted.

Rex of Hamilton moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1012)

The ayes were, 86:

Anania	Franklin	Middleswart	Schwieger
Andersen	Freeman	Miller	Scott
Bennett	Gluba	Moffitt	Small
Bergman	Grassley	Mollett	Sorg
Blouin	Hamilton	Monroe	Stanley
Bray	Hansen	Nielsen	Stokes
Camp	Husak	Norpel	Strand
Campbell	Kehe	Nystrom	Stromer
Christensen	Kelly	Patton	Strothman
Clark	Kinley	Pellett	Taylor
Cochran	Knoblauch	Pelton	Tieden
Curtis	Knoke	Pierson	Trowbridge
Den Herder	Kreamer	Priebe	Varley
Dougherty	Kruse	Radl	Waugh
Doyle	Lawson	Rex	Welden
Drake	Lipsky	Rodgers	Wells
Dunton	Logemann	Roorda	Willits
Edelen	Mayberry	Sargisson	Winkelman
Egenes	McCormick	Schmeiser	Wirtz
Ellsworth	McElroy	Schroeder	Wyckoff
Fischer, H. O.	Mendenhall	Schwartz	Mr. Speaker
Fisher, C. R.	Menefee		

The nays were, 1:

Siglin

Absent or not voting, 13:

Alt	Holden	Kennedy	Shaw
Ewell	Jesse	Larson	Skinner
Goode	Johnston	Millen	Uban
Hill			

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

HOUSE FILE 1014 DEFERRED

House File 1014, a bill for an act relating to disposition of obsolete instruments in the county recorder's office, was taken up for consideration.

Bray of Scott offered, from the floor, the following amendment by the committee on county government:

Amend House File 1014 by striking lines 6-9 and inserting in lieu thereof the following:

"After the expiration of 5 years from the date of cancellation of a securities agreement as limited by 1971 Iowa Code, section 554.9102 (2) or 10 years from the date of maturity or the maturity date extension of any securities agreement or any instruments or writing relating thereto, the county recorder . . ."

Kruse of O'Brien asked and received unanimous consent that **House File 1014** be deferred and that the bill retain its place on the calendar.

(House File 1014 and the committee amendment pending at adjournment.)

CONSIDERATION OF BILL

SPECIAL ORDER

The hour of 10:00 a.m. having arrived, the Speaker announced the special order for the consideration of **House File 57**, a bill for an act relating to the adjournment of the General Assembly.

Welden of Hardin moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 57)

The ayes were, 38:

Bergman	Grassley	Mollett	Stanley
Camp	Hansen	Nystrom	Stokes
Campbell	Kehe	Pellett	Strand
Christensen	Kelly	Pierson	Stromer
Den Herder	Kreamer	Radl	Taylor
Doyle	Kruse	Rex	Uban
Edelen	Logemann	Schwartz	Waugh
Ellsworth	Mendenhall	Schwieger	Welden
Fischer, H. O.	Menefee	Siglin	Wirtz
Freeman	Millen		

The nays were, 48:

Alt	Egenes	Middleswart	Shaw
Anania	Gluba	Miller	Small
Andersen	Hamilton	Moffitt	Sorg
Bennett	Hill	Nielsen	Strothman
Blouin	Holden	Norpel	Tieden
Bray	Husak	Patton	Trowbridge
Clark	Kinley	Pelton	Varley
Cochran	Knoblauch	Roorda	Wells
Curtis	Knoke	Sargisson	Willits
Dougherty	Lipsky	Schmeiser	Winkelman
Drake	McCormick	Schroeder	Wyckoff
Dunton	McElroy	Scott	Mr. Speaker

Absent or not voting, 14:

Ewell	Jesse	Lawson	Priebe
Fisher, C. R.	Johnston	Mayberry	Rodgers
Franklin	Kennedy	Monroe	Skinner
Goode	Larson		

The bill having failed to receive a constitutional majority was declared to have failed to pass the House.

REPORT OF THE BUDGET AND FINANCIAL CONTROL COMMITTEE

The following report was received and placed on file with the Chief Clerk of the House:

To the President of the Senate, Speaker of the House of Representatives, and Members of the Second Session of the Sixty-fourth General Assembly of the State of Iowa:

Section 2.43 of the 1971 Code of Iowa charges the Budget and Financial Control Committee with reporting to each session of the legislature their recommendations for changes which are necessary to accomplish the following:

1. To reduce expenditures and promote economy to the fullest extent consistent with the efficient operation of state government.
2. To increase the efficiency of the operations of the state government to the fullest extent practicable within the available revenues.
3. To group, coordinate, and consolidate judicial districts, agencies and functions of the government, as nearly as may be according to major purposes.
4. To reduce the number of offices, agencies, boards, commissions, and departments by consolidating those having similar functions, and to abolish offices, agencies, boards, commissions and departments, or functions thereof, as may not be necessary for the efficient and economical conduct of state government.
5. To eliminate overlapping and duplication of effort on the part of such offices, agencies, boards, commissions and departments of the state government.

The record will show that the committee members have performed their duties diligently. Their attendance and participation have been excellent.

In performing their duties as set out in the Code, the committee recognizes the achievements as well as the problems of the departments and institutions. These can best be judged by on-site visits of a delegated legislative committee who can and do take the time to perform this duty. These recommendations should be utilized to the fullest extent both by the executive branch of government and the legislative branch as a cooperative unit. Time during the interim permits an in-depth look at departments and institutions which is impossible during the busy legislative session.

The committee during this interim has completed visiting all but one of the Area Schools—on-site visits allow for comparison; the Regents Institutions—the committee is continuing their discussion with the Regents concerning the manner in which they present their budget requests to the General Assembly; the Social Service Institutions—there is a noticeable change in procedures and activities in our institutions; correctional, mental, and retarded. Numbers of inmates and inpatients are being reduced because of the change in techniques. This can only be recognized by on-site visits to these institutions.

In addition to the visits to the institutions, the committee has given much deliberation to anticipated problems caused by the acceptance and subsequent discontinuance of federal funding. This is discussed in detail in the report that follows.

Also, the Budget and Financial Control Committee established the policy of immediately inspecting losses which are paid under Section 19.7 of the Code to assist the Executive Council in making proper and more timely allocation of funds.

It thus becomes the duty of the interim committee and its individual members to share this information and make recommendations for changes to the General Assembly.

FEDERAL FUNDS

In the last several years the federal government has made a number of grants to the state of Iowa and otherwise furnished money to form various committees, social action groups, and other entities. These various entities have subsequently grown both in physical facilities and numbers of employees and after federal funds have stopped, funds are appropriated by the General Assembly. This is practically the only way that state government has grown in the last several years. Examples of these new departments are the Office of Economic Opportunity, the Drug Abuse Program, the Office of Planning and Programming, the Crime Commission, Higher Education Facilities Commission, quite a number of programs in the Health Department, and an untold number of new departments and programs in the Board of Regents and the Department of Public Instruction. This is not to judge whether these programs are good or bad or their relative values but rather to point out that ultimately these programs do go off federal funding and must be funded by the state general fund. What has happened on the state level is indicative also of what has happened on the local level. Local property taxes and other local funding is going to be asked in coming years to pick up the bill for hundreds of programs currently being funded by federal funds.

Because of the limited extent of funding that will be available from the state general fund as well as local property taxes and other local funding, the Iowa General Assembly should take positive action to insure that the programs that are started by federal funds are good ones and will ultimately have the financing which will be necessary to sustain them in future years.

The Budget and Financial Control Committee recommends strongly to the General Assembly that legislation be prepared and enacted which will require that the Office of Planning and Programming review each application for federal funds as a matter of overall planning to determine whether that program is indeed one that will benefit the people of Iowa. If it is determined that a program will benefit the people, the next requirement met should be that there is funding available for future years to fund the particular program. The bill should also require that a moratorium be placed on the receipt of any federal funds until present programs can be reviewed and future funding determined.

At times the Federal Government has threatened to withhold funds for specific projects as a means of forcing states to accept new federal programs, e.g. Highway Beautification, Billboard Control, Social Welfare (nursing home administrators). The Iowa General Assembly should express extreme displeasure with this "black jack" method.

Recent events concerning federal support for higher education hint that over the next six to ten years up to 65 percent of this support, so long taken for granted by our professional educators, may come to an end. Over the past year, about one-sixth of this federal dollar support to Iowa education has been either withheld or withdrawn, thus throwing an even harsher burden upon state income and upon property taxes. Already, a bitter battle between the various classes of Iowa educational establishments is shaping up behind the scenes, a battle for state tax dollars to replace vanishing federal dollars.

The Budget and Financial Control Committee is alarmed by the red tape and administrative difficulties experienced by our state departments in coordinating the programs of the state with laws enacted by Congress.

We recommend that the General Assembly set aside one day annually for the purpose of meeting with the Congressmen representing Iowa in an effort to improve the liaison between the State and Federal governments. This could be done by a portion of the day devoted to a hearing type meeting with the House and Senate sitting as a committee of the whole. The balance of the day could be devoted to individual Congressmen meeting with standing committees. The legislature, by Resolution, will have to take the initiative in implementing this recommendation.

DRUG ABUSE

In our prisons, detention homes, correctional institutions and in our mental health centers, Social Services have mounted vast rehabilitation programs for drug and alcohol addicts. The committee was alarmed at the lack of uniformity in programs at the various institutions, and also the lack of agreement on the severity of the drug problem in the state, or the best program for treatment.

As illustrations of the confusion that exists, the committee heard the following statements at various institutions:

While discussing heroin treatment, a professional at one institution stated that a report from a Lexington hospital stated that drug rehabilitation is achieved in less than one and one-half percent of the patients treated and the cost may run to approximately \$1,000,000 per patient so rehabilitated.

At Cherokee we were told that drug addiction in Iowa is growing rapidly and that "50 percent of Iowa teenagers are on drugs."

At Mount Pleasant we were told that they intend to expand their drug

program with Crime Commission and other federal funds to provide more intensified and specialized treatment.

At Oakdale Maximum Security Hospital we were told that "there are very few drug addicts in this state. Drug and alcohol use are symptoms of a problem and not the problem."

In visiting with Commissioner Gillman, the committee came to the conclusion that there must be some central direction and purpose in our drug and alcoholism rehabilitation programs. The Budget and Financial Control Committee directs the Department of Social Services to establish and effect a uniform policy concerning drug and alcoholism rehabilitation before extensive and extemporaneous programs are developed all over the state.

EDUCATION

With three state universities, thirty-two private colleges and universities, fifteen area vocational schools and/or community colleges, over four hundred public school systems, nine joint county school systems, and a burgeoning educational TV network, Iowans are supporting an astonishingly huge structure in education.

To support this tremendous enterprise requires:

- (a) Just over ½ of the total annual income of the state of Iowa, PLUS
- (b) 60.7 percent of the total sum of property taxes paid by all Iowans each year, PLUS
- (c) an annual multi-million dollar contribution from the federal government.

Iowans should be commended for supporting a tremendous enterprise in education but the people as well as the educators must be made aware of the tremendous drain this makes on tax dollars and serious efforts must be made to sort out priorities in education.

Area Schools

The Budget and Financial Control Committee assumed the responsibility a year ago of visiting the area schools. This was continued during the past interim. The following observations were made:

No yardstick exists by which liberal arts programs can be truly evaluated, so we must assume that such programs in our area schools are running at par for the course (whatever that is). Attention is called to the fact that the liberal arts and career programs in many of our area schools operate for only nine months of the year—with instructors, space and equipment languishing for the remaining months.

In the vocational arts all of our area schools show much initiative and drive. The committee was impressed with their overall performance and specific courses that caught the committee's attention were:

- Area IV at Sheldon offers a course for electrical linemen. Job offers from utility companies far exceed the supply of graduates.
 - Area V at Fort Dodge offers a course in driver training for school bus operators. It is the only such course offered in the United States.
 - Area XII at Sioux City has courses in band instrument repair and in the tuning and repair of pianos. So far as the latter course is concerned, the state of Iowa was allowed to teach it only after permission was granted by the National Piano Tuning Association.
 - Area XV in Ottumwa operates an excellent cooking school, with graduates sought by hotels and restaurants.
- Area XV also has a unique program in air frame rebuilding, air traffic

control and aircraft power plant mechanics.

- Area IX at Davenport has overflow classes in motorcycle repair and frame rebuilding. The school has an agreement with local cycle dealers, who ship their new machines from foreign manufacturers to the school for assembly by the students.
- Area IV and Area I have their carpentry-drafting students building homes, which are then sold to the public. It appears to many committee members that pressures exerted by organized labor prevent similar courses from being offered in area schools located close to metropolitan centers.
- Area I at Calmar has an experimental program whereby a student may at the end of the third quarter decide if she wants to be a Licensed Practical Nurse and complete her course in one year or transfer to the two-year Associate Degree Nursing Program. At the completion of the Associate Degree Program a student may sit for the State Board to become a Registered Nurse. While the committee was visiting the Area School at Calmar, they were told that only one graduate of their two-year program had failed to become a Registered Nurse.

In many of the area schools there is an abundance of very expensive equipment lying about which is never used; tape controlled jig borers, shapers, Elox machines, brakes, shears, turret lathes, automatic screw machines, etc.

Some area school administrators, it seems to the committee, are rather free with tax dollars:

- Southeastern Community College (Burlington) operates in rented facilities that cost \$76,000 per year. One-half to two-thirds of this amount would seem to be more reasonable.
- Already mentioned are the area schools which operate for nine months, with many staff salaries nevertheless running for the full twelve months.
- The staff at Area I (Calmar) spent \$34,000 for travel and meetings in the 1970-71 school year, and have budgeted \$52,500 for gadding about in 1971-72.
- Funds are provided in Section 19.7, Code of Iowa, 1971, as follows: . . . for repairing, rebuilding, or restoring . . . property injured, destroyed, or lost by fire, storm, theft, or unavoidable cause The committee recognizes that the buildings owned by the fifteen area schools are not covered by this section of the Iowa Code.

Seven of the area schools visited this year pay a total annual insurance premium on their establishments of \$111,457. The Budget and Financial Control Committee recommends legislation which would establish a sinking fund within the Office of the State Treasurer for purposes of protection for the area schools with each school assessed a proportionate share in lieu of the costly commercial insurance now being purchased. Said sinking fund shall be limited to an accumulated fund of \$2,000,000.

While visiting Hawkeye Tech in Waterloo, the committee was told that insurance premiums have increased sharply because many companies now hesitate to bid on school insurance.

- Too many of our area schools are monuments to a firm of architects, rather than efficiency and economy. The Area XIV school at Creston is an example and by no means the only one. At Creston drainage

problems peculiar to that part of the state (problems which should have been recognized before design was begun) were ignored, and now new mortar and cement are beginning to crumble. The roof configurations no doubt thrill art lovers, but they will leak into infinity. Air flow in the otherwise lovely library was so badly calculated that now much additional and costly work must be done to balance this section. Monolithic seat legs in the auditorium, designed to support small bundles of chicken feathers, cannot support healthy students and, as a result, are now being torn from their mounts.

There was considerable variance in school structures and consequently there was considerable variance in cost of construction of buildings viewed by the committee on the various campuses of the area schools. There is need for state direction in architectural planning and awarding of contracts for construction of all buildings funded by tax dollars.

The Budget and Financial Control Committee recommends that a position of State Architect be established in the Office of the General Services Administration. Said architect would review and approve the plans for all buildings constructed on public lands.

By law the State Department of Public Instruction is charged with the control, supervision and development of our area schools. It is apparent from the above that the department has not provided the proper control and guidance over these area schools.

If further evidence of this lack of direction is required, consider Area X. The area school law expressly forbids duplication of educational facilities and offerings. Nevertheless, Area X, the hub of a closely knit cluster of liberal arts colleges (Coe, Mt. Mercy, Grinnell, Cornell, and the University of Iowa) is well on the way to becoming yet another liberal arts college in this cluster, while the Department of Public Instruction looks on helplessly.

Because of the lobbying efforts of partisan professional educators in Washington, federal aid to liberal arts colleges is far more generous than it is to vocational schools. For example, in the 1969-70 school year, Area X Community College (strongly liberal arts oriented) received over \$800,000 in federal aid. In that same year the Hawkeye Institute of Technology (strongly vocational arts oriented) received only \$80,000 in federal aid.

Action is being taken, due to the efforts of some citizens, the approval of North Central Association and the partisanship of the Department of Public Instruction, to convert as many of our area schools as possible from vocational schools to liberal arts colleges. Also, because of lack of direction on the part of the Department of Public Instruction, many students are not able to transfer credits from area schools to other institutions.

It is absolutely essential that the Iowa General Assembly provide firm guidelines on the future development of our area schools. Shall they become liberal arts colleges or should they be allowed to develop into true vocational schools? At this moment the future status of these area schools is unclear. Some of these schools are pushing for liberal arts status. A liberal arts school costs much less to operate than a vocational school. Therefore, shifting emphasis from vocational arts to liberal arts, without in any way diminishing dollars presently received (both by tax levy and by legislative appropriation), means that there will be more available dollars for salary increases, for additional staff, and probably for both.

Perhaps some of our area schools should become bona fide liberal arts colleges while others, already surrounded by state and private liberal arts

schools, should concentrate on vocational arts only. In any case, this situation must be sorted out quickly by the legislature.

Regents Universities

There should be little doubt that the prevailing interests and trends in our democratic, highly computerized age have played havoc with traditional concepts and practices in education. Great changes, as well as enormously difficult tasks and decisions, lie ahead for our university managers.

- Disappearing federal dollars, as well as shrinking state and private support, require a realignment of structures and curricula. Bearing in mind that the majority of Iowa taxpayers (who, after all, make our universities possible) have no college education, nor will their children, how can we more equitably finance our universities?
- Anyone who has been in education, either as a student or as an instructor, knows that GOOD teachers and educational executives are readily identifiable. It takes some courage, however, to do the labeling. The managers of our universities must nevertheless find this courage.
- In a democracy there are always a number of violent crusades raging through the land. In recent years institutions of higher learning have been asked, and sometimes forced, to choose sides in these controversies. Iowa is indeed fortunate that only a tiny segment of our university officials and staff feel impelled to join in these tumults. THIS IS NOT THE TASK OF THOSE INTERESTED IN PROMOTING EDUCATION.

While others are wrangling over the unreal issues that today take their toll of life and property and tomorrow are forgotten, it is the responsibility of educators to keep the lights of civilization burning, to humanize their own behavior with reasonableness and good taste, and to preserve for students an area of calm where serious scholarship can be both felt and practiced. Neither students nor faculty can be very scholarly or very objective in the middle of a battlefield. The point being stressed here is that an intelligent and learned existence does not lose its value at the mere suggestion that man mind his own business—and, in the case of those who manage our universities, that business is EDUCATION.

- While some university competition with private industry is inevitable, (housing, food service, transportation, computer services, consulting, community services, etc.) its extent in Iowa has so far been uncontrolled. Firm policy, not professional gibberish, must be developed on this matter.
- There is much duplication of programs in our universities. At Ames we have CIRAS—Center of Industrial Research and Service. This rather feeble organization duplicates the efforts of the Iowa Development Commission, the Office of Planning and Programming, our university extension services, the Department of Agriculture, and thirty or so active Chambers of Commerce in this state. At Cedar Falls, we have the Education Clinic and the UNI Laboratory, both covering the same ground. This duplication of effort is particularly serious because students, faculty, department heads, etc. have taken sides in support of one or the other of these efforts. Such conflict is hardly conducive to the learning process.
- The ultimate sinecure in the academic community is to have a senior faculty position, but with no classes to teach. Over the '50's and '60's it became the practice to give "time off from teaching duties" at the drop of a research proposal. Shrinking dollar support requires a reap-

praisal of research vs. teaching—of graduate scholarship vs. undergraduate study.

In this same area we have witnessed a proliferation of educational executives and specialists in our university system who have no contact whatever with the classroom. The usefulness of these people must also be reassessed.

The above should serve to indicate the truly difficult decisions facing our university managers. Prerogatives and excesses, outcropping of two lush decades, must be rooted out—never an easy or pleasant task.

The public is discussing, with increasing vigor, the role of higher education in our society. The managers of our universities would do well to listen to this discussion.

It was brought to the attention of the committee that the Price Laboratory School at Cedar Falls is operated by state funds except for \$100 per pupil from the local district and yet the local district receives state aid. This negotiation was made a number of years ago. Because of the changes in school funding, this policy should be revalued and the contract renegotiated.

It is recommended that the local school district more nearly pay the cost of educating the children from the district on a tuition basis.

One of the objectives of a budget study initiated by the Budget and Financial Control Committee in 1969 was to make a uniform report on budget possible from the Board of Regents. Some of this has been accomplished.

At a recent meeting of the Budget and Financial Control Committee at Iowa State University, a report was presented to the committee on current spending and categories of spending which would be short of funds during the next biennium. The question was raised as to why this report was not consistent with the appropriation request as far as categories were concerned. The answer was "It is spent in this manner and not in the particular categorical manner in which it was requested." The committee points out to the General Assembly, that this was the exact reason for establishing a new budget method. Mr. Baxter, who was retained by the Budget and Financial Control Committee in 1969 to carry on that study, said that the Regents asked for money in one manner and spent it in another. It would appear that this tactic is still being used.

The Budget and Financial Control Committee admonishes the Board of Regents to use a consistent method of reporting and asking so that the members of the General Assembly can compare the two.

SOCIAL SERVICES

As mentioned earlier in this report, the committee members in their visits to the Social Services institutions saw noticeable changes in procedures and activities. The patient and resident numbers continue to reduce because of these changes. New philosophy and reforms in our correctional and penal systems placing greater emphasis on counselling, work release and other forms of rehabilitation have reduced the resident population in the five correctional institutions. Improved community mental health services throughout the state are effecting a radical reduction in the inpatient population of the state's six mental health and retardation institutions. (For more information on this trend see the report on mental health programs in the Mental Health and Juvenile Institutions Study Committee Report.) Greater utilization of foster homes and changed programs have reduced the enrollment of the two state schools for juveniles.

Prior to the mid 1930's concerned persons in our society operated mostly from the restricted confines of organized churches or private philanthropies. By 1950 these well-meaning people discovered the power and the unlimited extent of the public purse, and have since infiltrated most agencies of government. Nowhere are they more thickly sown than in the Iowa Department of Social Services. Here, in their frantic efforts to bring their notions of peace and comfort to all, tax dollars have not always been wisely utilized.

Committee members as lay persons find it difficult to accept the need for the great numbers of expensive professionals and administrative staff throughout the department and institutions. The possibility of centralized accounting and job consolidations were discussed with the commissioner. The committee feels that some professional salary increases were accomplished by reducing staff numbers in the lower categories.

Social Services is saturated with high priced professionals who hold up a facade of great and wonderful accomplishments in therapy and rehabilitation. That this is a facade is illustrated by the following candid remarks, made by these professionals in unguarded moments.

Eldora—"This is a kind of high school in crime, and graduates from here go on to colleges like Anamosa and Fort Madison."

Oakdale—"Thank God for recidivism. Without it most of us would be without jobs."

Anamosa—"There is no way to measure the effectiveness of professional counselors."

Davenport—"Costs have gone up sharply because of professionalism."

Much excess space was found at some of the institutions, therefore, the committee can see no need for expansion of building programs.

For instance, at Glenwood, the superintendent is asking that the institutional buildings be demolished and cottages erected. He stated that the mentally retarded youngsters at Glenwood "must learn to live in real surroundings." Yet the patients at Glenwood are there because they have not been able to live in 'real' surroundings, and many will be institutionalized for life.

Specific comment on some of the Social Services Institutions follows:

IOWA STATE SOLDIERS' HOME—MARSHALLTOWN

During the first session of the Sixty-fourth General Assembly, the Iowa Soldiers' Home received an appropriation for the biennium which exceeded their previous biennial budget by 10 percent. Even though this increase in appropriation was more than most of the other social service institution budgets percentage-wise, the Commandant started in May of 1971 to close a 35-bed ward at the Soldiers' Home. This 35-bed ward was in the intensive care area of the home. It was determined that this would be the particular spot that the institution could save the most money the quickest. It seemed incredible that the Commissioner of Social Services would allow this fine facility to be closed when the funds appropriated were projected to be sufficient until the latter part of the biennium.

James Gillman, Commissioner of Social Services, met with the chairmen of the Appropriations Committee and the chairmen of the Appropriations Subcommittee on Social Services on November 15, 1971 to discuss the closing of the 35-bed ward at the Iowa Soldiers' Home. According to the minutes of that meeting, it was recommended to the Commissioner by a majority of the legislators attending the meeting, that the department start training

personnel at once with the intention of reopening the ward shortly after January 1, 1972. The minutes also indicate that legislation will be proposed to the General Assembly whereby the additional funds which will be generated by reopening the 35-bed ward will be made available to the Iowa Soldiers' Home. The proposed legislation shall apply to the Sixty-fourth biennium only.

The Budget and Financial Control Committee recommends that the practice of paying residents for doing housekeeping chores be reviewed. The committee feels that the residents should consider it a privilege to live in these fine facilities and should be willing to perform simple household chores without pay. The policy of paying residents for performing these chores is inconsistent with the practice at some of the other institutions.

IOWA STATE PENITENTIARY—FORT MADISON

During the committee's visit to the penitentiary the warden stated that his appropriation was not sufficient to carry on all the programs that were currently in effect at the penitentiary. He indicated that he felt that the programs had been cut as far as possible and still be effective, so it would be necessary to trim the budget in the area of the guard payroll. The Budget and Financial Control Committee recommends to the Commissioner of Social Services that a full complement of guards at the penitentiary be maintained and programs of marginal value be eliminated.

The Budget and Financial Control Committee recommends that the farm be used more extensively in the rehabilitation of prisoners.

PRISON INDUSTRIES

The Budget and Financial Control Committee has inspected the physical facility of the industries at both Anamosa and Fort Madison during their visits. The committee has been impressed with the operation of these industries and commends the administration of the Department of Social Services for their operation.

In their visits to area schools, other state institutions, and in private conversations with public school officials the committee finds that very seldom are the industries even asked for a price quotation. The committee has found that the architects of many public buildings have not recommended industries furniture and, in fact, have designed furniture that could not be built by industries.

In an effort to help the Iowa State Industries maintain an adequate work load for the gainful employment of persons incarcerated, the committee makes the following recommendations to the Commissioner of the Department of Social Services:

1. A reorganization of the management of the industries. At the present time the industries at Anamosa and the industries at Fort Madison have separate managers. Under individual management separate purchasing and separate payrolls are maintained. This is done in spite of the fact that in accordance with Section 246.26, of the Code of Iowa, 1971, a single revolving fund is maintained in the Office of the Treasurer. A reorganization of the management would serve to combine completely all operations of the two industries.
2. The committee recommends a commission system for paying the four salesmen of industry products. At the present time the salesmen are paid a flat salary with the quantity of sales having no bearing on their remuneration.

3. The committee recommends a new approach to marketing the products of the industries. The equipment used by the industries and the designs of furniture and other products are continually being updated. The marketing process must be also changed to meet today's competition.

The committee feels that if the above recommendations are adopted, the industries will have adequate orders for production and the inmates who wish to work will no longer languish in inactivity.

WOODWARD-GLENWOOD

The hospital-schools at Woodward and Glenwood have had similar budgets for a number of years. They serve a geographic area and therefore collect approximately the same kind of patients. This seems to be where the similarity ends. From a lay point of view and one that is admittedly not professional, it seems incredible that the programs at Glenwood and Woodward should be so dissimilar. It would appear that when a program is working and is accomplishing its objective in training the mentally and physically retarded it should be adopted immediately at the other hospital-school. Apparently, the superintendents have for years been experimenting with new methods of training the mentally and physically retarded. This approach is all right except that when a program has proven itself it should be adopted at the other institution, rather than the other institution continuing to experiment to obtain a similar objective.

The Budget and Financial Control Committee hereby admonishes the leadership of the Department of Social Services for not putting this kind of policy into effect. It would appear that the Director of Mental Retardation in the Department of Social Services is exerting no leadership whatsoever toward establishing a uniform policy to be followed by both hospital-schools. If he cannot accomplish this objective, he should be replaced.

The Budget and Financial Control Committee further recommends to the Commissioner of Social Services that consideration be given to combining the Bureau of Mental Retardation and the Bureau of Mental Health and placing them under one director.

MENTAL HEALTH INSTITUTE—CHEROKEE

It would seem that some confusion exists over the interpretation of our laws, as evidenced by the techniques employed by some social services personnel in rehabilitation. At Cherokee a panel of four young men, alcoholics at about age twelve and hard drug addicts by age nineteen, stated, with the enthusiastic approval of the professional social services personnel present, that they had been driven to this condition by 'a cruel and inhuman society.'

MENTAL HEALTH INSTITUTE—INDEPENDENCE

While visiting the Mental Health Institute at Independence, the Budget and Financial Control Committee was pleased to learn that the length of inpatient stay at the hospital has been reduced considerably. While the daily cost has risen, the cut in length of stay has reduced the overall per patient cost as indicated by the following statistics:

Year	Length of Stay	Cost Per Stay
1960	413 days	\$2,557
1965	181 days	2,553
1970	68 days	2,044

While the above figures were obtained from the Mental Health Institute at Independence, they are indicative of a trend established over the past few years at all four of the mental health institutes.

JUVENILE SCHOOLS—DAVENPORT AND TOLEDO

The committee found the programs at these schools somewhat at variance with Code authority (especially at Annie Wittenmyer Home) and very costly to maintain. While the children admitted to these facilities are dependent and neglected, these institutions appear to be essentially special education schools. It would seem more fitting to offer these programs at local community levels or perhaps the educational programs at these schools should be provided on a tuition basis by the local public schools.

YOUTH TRAINING SCHOOLS—ELDORA AND MITCHELLVILLE

Hearings by the Budget and Financial Control Committee have convinced us the needs of predelinquent and delinquent youth can for the most part be better served on the local level.

Testimony before the committee shows that those counties which have utilized community resources—volunteer workers, and have expanded their probation office personnel can more rapidly rehabilitate delinquent youth in a home atmosphere at a fraction of institutional costs.

Therefore, we recommend legislation that will reward counties who reduce commitments to our girls and boys training schools.

In visiting the Boys Training School at Eldora it was brought to the committee's attention that if the age of responsibility is lowered, the age of commitment to correctional institutions should be changed to correspond with the age of legal responsibility. Superintendent O'Neil stated that he would be in a position to make recommendations for legislation in this area.

GENERAL COMMENTS

The committee feels there is strong need for better coordination and cross pollination between institutions both on an interdepartmental and intradepartmental basis. As an example, the committee was impressed by the school programs of the School for the Deaf at Council Bluffs (under the Board of Regents) and the Children's Unit at Independence (under the Department of Social Services). It is felt that interdepartmental and intradepartmental staff visits could be helpful and the committee recommends to the departments that they make every effort to utilize the strengths of some institutions so as to help other institutions overcome existing weaknesses.

The Budget and Financial Control Committee feels that the department of Social Services employs great numbers of people whose services are questionable. Commissioner Gillman has stated that one administrative staff member is needed for each eight employees. The committee feels that in several institutions the number of administrative positions is excessive.

SCHOOL FOR THE DEAF

The Budget and Financial Control Committee specifically commends Dr. Giangreco, Superintendent, for the type of program, the enthusiastic response of the children, the quality and dedication of staff and the general operation of the School for the Deaf at Council Bluffs.

IOWA STATE HIGHWAY COMMISSION

Overhead costs are a sound measure of operating efficiency. If engineering and maintenance are regarded as pure overhead, and this overhead is calculated as a percentage of contractor dollars paid out each year for roads built or under construction, we find the following percentages:

Year	Overhead
1955	3%
1961	7.5%
1966	11.1%

After 1966 this overhead figure becomes obscure. The proliferation of departments in the Highway Commission (13 in 1956; 38 in 1971) and the consequent changes in bookkeeping procedures are responsible.

The Budget and Financial Control Committee is alarmed that the overhead costs in the Highway Commission have risen so rapidly in the past few years. While it is recognized that federal demands have raised costs to the commission, contractors costs have likewise risen, therefore, the percentage of overhead should have remained fairly stable.

CONSERVATION COMMISSION

Visits to state parks leave one with the strong impression that the Conservation Commission is far more talented at promoting public relations programs than it is in planning and managing parks. It also appears that the commission is far more adept at diverting appropriations into land purchase, "Word Banks" and executive salaries than into much needed landscaping and necessary working park personnel.

Wapsipinicon State Park—Anamosa

Just over 200 acres of lovely park, and one lone ranger is expected to keep it mowed, inspected, clean and policed. How he does all of this, and he does it well, is a mystery. Occasionally, Anamosa trustees are available for work details, but supervision of them by one ranger requires more effort and worry than their work is worth.

Prairie Rose Lake—Harlan

This place has been in existence for about nine years, but it remains pretty much a barren plain. The waters are meandering and attractive but few trees and shrubs have been planted anywhere. It seems that after land acquisition there is little money spent either on landscaping or on adequate maintenance staff. Somehow the parks are expected to fend for themselves.

Lake Manawa—Council Bluffs

Another example of shabby Conservation Commission planning and maintenance. The bathhouse has been neglected for so long that it is decrepit. Concessionaires, rather than the commission, are expected to provide the needed maintenance.

Green Valley State Park—Creston

Yet another park that looks neglected. Too small a staff to handle the crowds who do use this place in season. No shrubs or trees worth mentioning, except for walnuts. All other plantings are quickly burned out by the strong prevailing winds.

This lake, like Prairie Rose, is a somewhat flat plain, and without trees and shrubs this means considerable erosion. Already there are problems

here with silting. It takes a strange and obtuse talent to:

- (a) erect parks in such unsuitable places,
- (b) and, then to pointedly neglect them.

The Budget and Financial Control Committee feels there is a definite need for improvement in the park system. This will take funding. It is therefore recommended that legislation be enacted to establish a park user fee with said funds to be used for park improvement.

REMODELING OF CAPITOL BUILDING

The Budget and Financial Control Committee recognizes that the state capitol building should be utilized to its fullest potential. However, the committee believes that careful planning of alterations and repairs would result in preservation of the aesthetic value of this beautiful building for future generations. It is, therefore, recommended that legislation be enacted which would require that any major alterations or repairs to the capitol building be approved by a qualified citizens committee.

* * * * *

Some of the statements in this report are not necessarily the unanimous opinion of the members of the Budget and Financial Control Committee. The members of the Budget and Financial Control Committee express their thanks to all state departments, commissions, agencies and institutions for their cooperation during the committee's visit.

ELMER H. DEN HERDER, Chairman
 FRANCIS L. MESSERLY, Vice Chairman
 KEITH H. DUNTON, Secretary
 QUENTIN V. ANDERSON
 CHARLES F. BALLOUN
 C. JOSEPH COLEMAN
 BASS VAN GILST
 EDGAR H. HOLDEN
 ALFRED NIELSEN
 RICHARD M. RADL

REPORTS OF COMMITTEES

Fisher of Greene, from the committee on state government, submitted the following reports:

MR. SPEAKER: Your committee on state government, to whom was referred **House File 597**, a bill for an act relating to the management of state records, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same **be amended as follows, and when so amended the bill do pass:**

Amend House File 597, page 3, line 8, by striking the word "may" and inserting in lieu thereof the word "*shall*".

FISHER of Greene, Chairman

Also:

MR. SPEAKER: Your committee on state government, to whom was referred **Senate File 470**, a bill for an act relating to deferred compensation for governmental employees, begs leave to report it has had the same under

consideration and has instructed me to report the same back to the House with the recommendation that the same **do pass**.

FISHER of Greene, Chairman

Fischer of Grundy, from the committee on commerce, submitted the following report:

MR. SPEAKER: Your committee on commerce, to whom was referred House File 599, a bill for an act relating to false drawing and uttering of financial instruments, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same **do pass**.

FISCHER of Grundy, Chairman

AMENDMENTS FILED

1 Amend House File 1013 by striking all of lines
2 9 and 10 and inserting in lieu thereof the following:
3 "certify a default to the court and to the county
4 attorney of that county. The county attorney shall
5 ascertain from the county board of social welfare
6 if the person to whom support payments have been
7 awarded is a recipient of public assistance, and
8 shall notify the court of any such public assistance.
9 If said person is a recipient of public assistance
10 through the county board of social welfare, the
11 court shall, on its own motion, proceed as provided
12 in section five hundred ninety-eight point twenty-
13 three (598.23) of the Code."

CLARK of Lee

1 Amend House File 1014 as follows:
2 1. By striking lines six through fourteen
3 and inserting in lieu thereof the following:
4 "The county recorder may destroy, ten years
5 after the maturity date, or ten years after
6 the maturity date of any extension thereof,
7 any chattel mortgage, conditional sales contract,
8 or other instrument or writing relating thereto,
9 filed prior to prior July 4, 1966, provided such
10 destruction takes place in the presence of
11 the county board of supervisors, or a committee
12 appointed by the board from its members to
13 supervise the destruction, and when so destroyed
14 the date of destruction shall be entered on the
15 index record under 'remarks'."

HILL of Polk

On motion by Varley of Adair, the House adjourned until 9:00 a.m., Wednesday, January 19, 1972.

JOURNAL OF THE HOUSE

Tenth Calendar Day—Eighth Session Day

HALL OF THE HOUSE OF REPRESENTATIVES
DES MOINES, IOWA, WEDNESDAY, JANUARY 19, 1972

The House met pursuant to adjournment, Speaker pro tempore Millen in the chair.

Prayer was offered by the Reverend M. O. Smith, pastor of the United Methodist Church, Washington, Iowa.

The Journal of Tuesday, January 18, 1972, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Doctor Lawrence Larson, Harlan.

LEAVE OF ABSENCE

Leave of absence was granted as follows:
Edelen of Emmet on request of Clark of Lee.

PETITIONS FILED

The following petitions were received and placed on file:

By Harbor of Mills, from ninety-one students of the Social Studies Department of West High School, Davenport, Iowa, complimenting the Iowa House of Representatives for granting all adult rights to eighteen, nineteen and twenty-year-olds.

By Priebe of Kossuth, a resolution from seven members of the Kossuth County Board of Education favoring the abolishment of the present county and joint county school systems in Iowa and replacing them with a statewide system of from twelve to sixteen educational service units authorized to provide services to local schools.

BIRTHDAY CONGRATULATIONS

McElroy of Fremont rose on a point of personal privilege and on behalf of the House extended to the Honorable Warren E. Curtis a "Happy Birthday."

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Twenty-seven fifth grade students from Watrous School, Des Moines, Iowa, accompanied by their teacher, Miss Condit. By Kinley of Polk.

ADOPTION OF COMMITTEE REPORTS

The Chief Clerk announced the adoption of reports of committees on House Files 597 and 599 and Senate File 470, under Rule 35.

INTRODUCTION OF BILLS

House File 1036, by committee on county government, a bill for an act requiring the posting of a bond in conjunction with a petition to establish a private sanitary district, and the funding of preliminary expenses of such district.

Read first time and **placed on the calendar.**

House File 1037, by committee on judiciary, a bill for an act relating to antitrust fees for prosecutors.

Read first time and **placed on the calendar.**

House File 1038, by Clark, a bill for an act relating to endurance contests and the penalty for participating therein.

Read first time and referred to committee on **judiciary.**

House File 1039, by Clark (DeKoster and Potgeter), a bill for an act relating to the issuance of new birth certificates for persons born outside the United States and adopted in Iowa.

Read first time and referred to committee on **judiciary.**

House File 1040, by Kinley, a bill for an act relating to the packaging of meat and poultry and providing a penalty.

Read first time and referred to committee on **commerce.**

House File 1041, by Kelly, a bill for an act relating to free copies of the Code.

Read first time and referred to committee on **state government.**

House File 1042, by Kelly, McCormick, Schwieger, Christensen and Doyle (Kennedy, Lamborn, Potter and Glenn), a bill for an act relating to time served on parole.

Read first time and referred to committee on **judiciary**.

House File 1043, by Alt, a bill for an act to expand the membership of the capitol planning commission and to require the approval by the commission of alterations and repairs to any building on the capitol grounds.

Read first time and referred to committee on **state government**.

House File 1044, by committee on county government, a bill for an act authorizing counties to acquire private property by condemnation for sanitary landfill purposes.

Read first time and **placed on the calendar**.

HOUSE FILE 1009 RE-REFERRED

The Speaker announced that **House File 1009** previously referred to the committee on schools is re-referred to the committee on **state government**.

HOUSE FILE 1013 RE-REFERRED

Rex of Hamilton asked and received unanimous consent that **House File 1013** now on the House calendar be re-referred to the committee on **county government**.

MOTION TO RECONSIDER

(House File 57)

I move to reconsider the vote by which House File 57 failed to pass the House on January 18, 1972.

SCHROEDER of Pottawattamie

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has concurred in the House amendment to the Senate amendment to, and passed:

House File 695, a bill for an act appropriating from the motor vehicle fuel tax.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File 1015, a bill for an act relating to disposition of obsolete copies of hunting, fishing and trapping licenses.

CARROLL A. LANE, Secretary

CONSIDERATION OF BILLS

APPROPRIATIONS CALENDAR

House File 1016, a bill for an act relating to the use of fees and funds received by the Iowa soldiers home, with report of committee recommending passage, was taken up for consideration.

Camp of Clinton moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1016)

The ayes were, 90:

Alt	Grassley	Mendenhall	Siglin
Anania	Hamilton	Menefee	Small
Andersen	Hansen	Middleswart	Sorg
Bennett	Harbor	Miller	Stanley
Bergman	Hill	Moffitt	Stokes
Blouin	Holden	Monroe	Strand
Camp	Husak	Norpel	Stromer
Christensen	Jesse	Nystrom	Strothman
Clark	Johnston	Patton	Taylor
Cochran	Kehe	Pellett	Tieden
Curtis	Kelly	Pelton	Trowbridge
Den Herder	Kennedy	Pierson	Uban
Dougherty	Kinley	Priebe	Varley
Doyle	Knoblauch	Rex	Waugh
Drake	Knoke	Rodgers	Welden
Dunton	Kreamer	Roorda	Wells
Egenes	Kruse	Sargisson	Willits
Ellsworth	Larson	Schmeiser	Winkelman
Ewell	Lipsky	Schroeder	Wirtz
Fischer, H. O.	Logemann	Schwartz	Wyckoff
Fisher, C. R.	Mayberry	Schwieger	Mr. Speaker
Freeman	McCormick	Scott	(Millen)
Gluba	McElroy	Shaw	

The nays were, 2:

Nielsen Radl

Absent or not voting, 8:

Bray	Edelen	Goode	Mollett
Campbell	Franklin	Lawson	Skinner

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

REGULAR CALENDAR

The House resumed consideration of **House File 1014**, a bill for an act relating to disposition of obsolete instruments in the county recorder's office.

Kruse of O'Brien asked and received unanimous consent to withdraw the amendment filed by the committee on county government on January 18, 1972, and found on page 73 of the House Journal.

Hill of Polk offered the following amendment filed by him and moved its adoption:

Amend House File 1014 as follows:

1. By striking lines six through fourteen and inserting in lieu thereof the following:

"The county recorder may destroy, ten years after the maturity date, or ten years after the maturity date of any extension thereof, any chattel mortgage, conditional sales contract, or other instrument or writing relating thereto, filed prior to prior July 4, 1966, provided such destruction takes place in the presence of the county board of supervisors, or a committee appointed by the board from its members to supervise the destruction, and when so destroyed the date of destruction shall be entered on the index record under 'remarks'."

The amendment was adopted.

Kruse of O'Brien moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1014)

The ayes were, 91:

Alt	Gluba	McElroy	Scott
Anania	Grassley	Mendenhall	Shaw
Andersen	Hamilton	Menfee	Siglin
Bennett	Hansen	Middleswart	Small
Bergman	Harbor	Miller	Sorg
Blouin	Hill	Moffitt	Stanley
Camp	Holden	Monroe	Stokes
Campbell	Husak	Nielsen	Strand
Clark	Jesse	Norpel	Stromer
Cochran	Johnston	Nystrom	Strothman
Curtis	Kehe	Patton	Taylor
Den Herder	Kelly	Pellett	Tieden
Dougherty	Kennedy	Pierson	Trowbridge
Doyle	Kinley	Pelton	Varley
Drake	Knoblauch	Priebe	Waugh
Dunton	Knoke	Radl	Welden
Egenes	Kreamer	Rex	Wells
Ellsworth	Kruse	Rodgers	Willits
Ewell	Larson	Roorda	Winkleman
Fischer, H. O.	Lipsky	Sargisson	Wirtz
Fisher, C. R.	Logemann	Schmeiser	Wyckoff
Franklin	Mayberry	Schroeder	Mr. Speaker
Freeman	McCormick	Schwartz	(Millen)

The nays were, none.

Absent or not voting, 9:

Bray	Goode	Mollett	Skinner
Christensen	Lawson	Schwieger	Uban
Edelen			

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

REPORT OF COMMITTEE

Christensen of Union, from the committee on law enforcement, submitted the following report:

MR. SPEAKER: Your committee on law enforcement, to whom was referred **House File 1006**, a bill for an act relating to the breaking and entering of vending machines, and providing a penalty, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same **do pass**.

CHRISTENSEN of Union, Chairman

AMENDMENTS FILED

- 1 Amend the committee on social services amendment
- 2 to House File 472 filed April 21, 1971, line 89, by
- 3 striking the word "shall" and inserting in lieu
- 4 thereof the word "may".

ANDERSEN of Woodbury
DOYLE of Woodbury
SARGISSON of Woodbury

- 1 Amend House File 472 as follows:
- 2 1. By striking all after the enacting clause and
- 3 inserting in lieu thereof the following:
- 4 Section 1. Section one hundred thirty-seven point
- 5 six (137.6), Code 1971, is amended by adding the fol-
- 6 lowing new subsections:
- 7 6. May hold hearings, subpoena witnesses and take
- 8 testimony in all matters relating to the exercise and
- 9 performance of the powers and duties vested in or im-
- 10 posed upon a local board of health.
- 11 7. May authorize any employee or peace officer to:
- 12 a. Make administrative inspections, in accordance
- 13 with the procedures set forth in this chapter, for
- 14 compliance with the state health laws and the rules
- 15 and regulations of the state and local boards.
- 16 b. Make application for and execute administrative
- 17 search warrants and to serve subpoenas provided for
- 18 in this chapter.
- 19 c. Make seizures of property as provided in this
- 20 chapter to enforce the state health laws and the rules
- 21 and regulations of the state and local boards.
- 22 d. Issue orders for correction, abatement, removal

23 or destruction of any condition which is necessary for
24 the protection and improvement of the public health.

25 Sec. 2. Chapter one hundred thirty-seven (137),
26 Code 1971, is amended by adding the following new
27 sections:

28 1. "ADMINISTRATIVE INSPECTIONS AND WARRANTS—
29 WARRANTS TO INSPECT. If the owner or occupant of any
30 property refuses admittance thereto, or if prior to
31 such refusal an administrative inspector or peace
32 officer considers it advisable, any authorized
33 administrative inspector or peace officer may make
34 application under oath or affirmation before a
35 district or municipal court judge for the issuance
36 of a search warrant."

37 2. "APPLICATION. In the application the inspec-
38 tor or peace officer shall state that by a search of
39 certain premises, areas, or things designated in the
40 application he may obtain evidence tending to reveal
41 the existence of violations of the state health laws
42 or rules and regulations of the state department or a
43 local board. The application shall describe the area,
44 premises, or thing to be searched, give the date of
45 the last inspection if known, give the date and time
46 of the proposed inspection, declare the need for such
47 inspection, recite that notice of desire to make an
48 inspection has been given to affected persons and that
49 admission was refused if that be the fact, and state
50 that the inspection has no purpose other than to carry
51 out the purpose of the statute, ordinance, or regula-
52 tion pursuant to which inspection is made. If the
53 inspector or peace officer seeks to seize any item,
54 it shall be specifically identified in the applica-
55 tion."

56 3. "ISSUANCE. If the judge finds that there is
57 probable cause to believe that there exists a viola-
58 tion of the state health laws or the rules and lawful
59 orders of the state department or the rules and regu-
60 lations of a local board, the judge shall issue such
61 warrant, signed by him with his name of office,
62 directed to an administrative inspector or peace
63 officer commanding him to forthwith search the named
64 premises, areas, or things for evidence of the viola-
65 tion, and bring any property seized before him."

66 4. "EXECUTION. A search warrant may be executed
67 by the administrative inspector or peace officer.
68 Inspectors or peace officers must execute the warrant
69 within ten days of its date; failure to execute
70 within that period shall void the warrant. No
71 persons other than those authorized by this section
72 shall execute search warrants except in aid of those
73 so authorized and on such authorized person's request,
74 he being present and acting. The warrant shall be
75 executed in the daytime or in the nighttime, as the
76 judge in his discretion may direct. The warrant,
77 when executed, shall be forthwith returned to the

78 issuing judge.”

79 5. “FORCIBLE EXECUTION. The administrative in-
80 spector or peace officer may break into any structure
81 or vehicle where reasonably necessary to execute the
82 warrant if, after notice of his authority and purpose of
83 his admittance, he has not been admitted. The officer
84 may use reasonable force to enter a structure or
85 vehicle to execute a search warrant without notice
86 of his authority and purpose:

87 1. In the case of vacated or abandoned structures
88 or vehicles.

89 2. If the issuing judge has inserted a direction
90 in the warrant that the officer executing it shall not
91 be required to give such notice. The judge may so
92 direct only upon proof under oath that there is
93 probable cause to believe that the property sought
94 may be easily and quickly destroyed, or that danger to
95 the life or limb of the inspector or peace officer
96 may result, if such notice were to be given. The
97 officer executing a search warrant may break restraints
98 when necessary for his own liberation or to effect the
99 release of a person who has entered a place to aid
100 him.”

101 6. “DETENTION AND SEARCH OF PERSONS ON PREMISES.

102 In the execution of a search warrant the person ex-
103 ecuting the same may reasonably detain and search
104 any person or thing in the place at the time:

105 1. To protect himself from attack, or

106 2. To prevent the disposal or concealment of any
107 property subject to seizure described in the warrant.”

108 7. “RETURN. The inspector or peace officer shall
109 make his return within a reasonable time by endorsing
110 on the warrant the date and time the property was
111 searched and what, if anything, was found and
112 returning it to the issuing judge.

113 Within a reasonable period of time the administra-
114 tive inspector or peace officer shall furnish an
115 itemized receipt for such property to the person from
116 whom taken or in whose possession it was found, if
117 such person can be located.

118 The administrative inspector or peace officer must
119 file with his return a complete inventory of the
120 property taken, and state under oath that it is
121 accurate to the best of his knowledge.”

122 8. “EVIDENCE. Property seized in the execution
123 of a search warrant shall be safely kept under the
124 authority of the judge, subject to the orders of any
125 court having jurisdiction to try an offense involved
126 therewith, so long as reasonably necessary to enable
127 its production at trials. Thereafter it shall be
128 disposed of as provided by law.”

129 9. “MALICIOUSLY SUING OUT A WARRANT—INSPECTOR
130 EXCEEDING AUTHORITY. Whoever maliciously and without
131 probable cause procures a search warrant to be issued
132 and executed is guilty of a misdemeanor. Anyone who,

133 in executing a search warrant, willfully exceeds his
134 authority, or exercises it with unnecessary severity,
135 is guilty of a misdemeanor.”

136 10. “VIOLATIONS. Whenever any violation of the
137 state health laws or the rules and lawful orders of
138 the state department or the rules and regulations of
139 a local board or ordinances of cities or towns, or a
140 substance or condition exists that may be injurious
141 to the public health or cause of illness or any nui-
142 sance is found, the local board or authorized employee,
143 in addition to other remedies available in this
144 chapter, may order the owner or occupant, or such
145 person who shall have caused or permitted such to
146 correct, abate, remove, or destroy the source of the
147 violation, injury or cause of illness or any
148 nuisance at his own expense. The order shall specify
149 what action is to be taken and the time within which
150 it is to be accomplished, which time shall be
151 reasonable. The order shall be effected by personal
152 service on, or by mailing to, the person to whom the
153 order is directed by certified mail and, where the
154 order concerns a dwelling, by posting a copy of the
155 order in a conspicuous place on the dwelling;
156 provided however, if the order requires the removal
157 or destruction of real property, the order shall be
158 effected by serving the owner and occupants with a
159 copy of the order as prescribed for the service of
160 original notices.”

161 11. “ADMINISTRATIVE HEARINGS. Any person ag-
162 grieved by the order may request a hearing before the
163 local board by notifying the chairman of the board in
164 writing. The request must be given before the time
165 set for compliance with the order, and in no event
166 more than fourteen days from the time the order was
167 served upon the aggrieved party. Upon receipt of the
168 request for hearing all actions of the local board
169 and its employees shall be suspended pending the
170 hearing and determination by the board. Notice of the
171 time and place of hearing shall be given by the chair-
172 man in the manner of effecting an order to correct,
173 abate, remove or destroy. The local board on its own
174 motion may hold hearings whenever it believes any
175 violation of the state health laws or the rules and
176 lawful orders of the state department or the rules
177 and regulations of the local board or ordinances
178 of cities or towns has occurred, or a substance or
179 condition exists that may be injurious to the public
180 health or cause of illness or any nuisance. Notice
181 of the hearing shall be given to the alleged violator
182 or violators in the same manner as notice of hearing
183 at the request of an aggrieved party. The alleged
184 violator or violators may appear in person at such
185 hearing or with legal counsel and may make oral
186 arguments, may offer testimony and cross-examine

187 witnesses. The hearing may be conducted in an
188 informal manner and the technical rules or evidence
189 shall not apply. Upon hearing the local board shall
190 in writing affirm, reverse or modify the order of its
191 employee; or in the event no such order was issued,
192 issue its own order; setting forth the time within
193 which the action required is to be taken. In fixing
194 the time in such order or decision and any extension
195 of time, the local board of health shall take into
196 consideration the nature of the failure or defect
197 constituting the violation or condition or probable
198 danger thereof, and the probable length of time and
199 amount of labor required to correct the violation or
200 condition which exists that may be injurious to the
201 public health or cause of illness or any nuisance.
202 The decision or order of the board shall be effected
203 by service of a copy of the decision upon the party
204 affected in the manner of effecting orders to
205 correct, abate, remove or destroy."

206 12. "NONCOMPLIANCE. If a person fails to comply
207 with the order of the authorized employee if no
208 hearing has been requested, or fails to comply with
209 the decision or order of the board, the local board
210 may in addition to the other remedies provided in the
211 chapter, correct, abate, remove or destroy any
212 property, substance or condition which constitutes
213 the violation or which is injurious to the public
214 health or cause of illness or any nuisance, at the
215 expense of the owner of the property. Any expense
216 shall be assessed upon the property and collected as
217 a special assessment. If the owner has not previously
218 been notified of an order or decision and if the
219 correction, abatement, removal or destruction is to be
220 accomplished at the expense of the owner of the
221 property, the owner shall be given notice of the order
222 or decision in the manner of effecting orders to
223 correct, abate, remove or destroy at least fourteen
224 days prior to correction, abatement, removal or
225 destruction. The owner shall have the right to request
226 a hearing before the local board as provided for a
227 person aggrieved by an order of the local board or
228 authorized employee. Provided before the local board
229 of health removes or destroys real property,
230 application shall be made by the county attorney for
231 a county board of health, the city attorney for a
232 city board of health, or other attorney designated
233 by the board, upon request by the board, to a court
234 having jurisdiction for an order authorizing removal
235 or destruction of the dwelling. Such proceeding
236 shall be in equity. An order may be granted ex parte
237 at the discretion of the court in cases of emergency."

238 13. "EMERGENCIES. If the local board determines
239 that an emergency exists which requires immediate
240 action to protect the public health, the board may

241 apply for injunctive relief to any court having
 242 jurisdiction, which injunctive relief may be granted
 243 by the court without notice and ex parte.”
 244 Sec. 3. Section one hundred thirty-seven point
 245 twenty-one (137.21), Code 1971, is amended by adding
 246 the following:
 247 “In addition to or in lieu of a criminal penalty,
 248 any person who violates any provision of this chapter
 249 or the rules and regulations of a local board or any
 250 lawful order or notice of said board, its officers,
 251 or authorized agents may be temporarily or
 252 permanently enjoined therefrom by any court having
 253 jurisdiction.”

KNOKE of Pottawattamie
 HOLDEN of Scott
 LAWSON of Cerro Gordo

1 Amend House File 599 as follows:
 2 1. Page 1, line 8, by striking the words
 3 “because of insufficient”.
 4 2. Page 1, line 9, by striking the words
 5 “funds of the maker or drawer or”.

MONROE of Des Moines

1 Amend House File 1009 as follows:
 2 1. Page 1, by inserting after line 3 the following new
 3 section:
 4 Section two hundred seventy-three point seven (273.7),
 5 Code 1971, is amended to read as follows:
 6 273.7 CANVASS. The ballots cast at any election for
 7 membership on the board shall be counted by the judges of
 8 election *as soon as the polls close* and return thereof shall
 9 be made by the judges on forms provided therefor to the
 10 secretary of the school district within forty hours after
 11 the closing of the polls. *After the polls have closed and*
 12 *when a canvass is completed, one of the judges shall publicly*
 13 *announce the total votes received by each person voted for,*
 14 *the office for which he is designated, and the number of*
 15 *votes cast for or against any proposition which has been*
 16 *submitted to the people at the election.* Within five days
 17 following the election, the secretary of each school district
 18 shall make return of the votes cast in said district to the
 19 county board of education on forms provided therefor, which
 20 board shall meet at ten o'clock a.m. on the last Monday in
 21 September, and canvass the vote and issue certificates of
 22 election.
 23 2. Page 1, by inserting after line 24 the following
 24 new section:
 25 Section two hundred eighty A point fifteen (280A.15), Code
 26 1971, is amended to read as follows:
 27 280A.15 CONDUCT OF ELECTIONS. The nomination of candi-
 28 dates, preparation of ballots, and canvass for all elections
 29 of members of the board of directors of an area vocational

30 school or an area community college, except as otherwise
 31 directed, shall be conducted in the manner provided in sec-
 32 tions 273.5, 273.6, and 273.7 for members of county boards
 33 of education. Nomination papers in behalf of a candidate
 34 shall be filed with the secretary of the board of the merged
 35 area. Each candidate shall be nominated by a petition signed
 36 by not less than fifty qualified electors of the district
 37 from which the member is to be elected. The board of direc-
 38 tors of each respective merged area shall be responsible for
 39 causing the printing of election ballots and the printing of
 40 necessary forms used by judges and clerks of election and by
 41 secretaries of the local school districts in making election
 42 returns. *After the polls have closed and when the canvass is*
 43 *completed, one of the judges shall publicly announce the*
 44 *total votes received by each person voted for, the office*
 45 *for which he is designated, and the number of votes cast for*
 46 *or against any proposition which has been submitted to the*
 47 *people at the election. The votes cast in the election shall*
 48 *be returned to the respective boards of directors of the*
 49 *merged areas who shall canvass the vote and issue certifi-*
 50 *cates of election as prescribed in section 273.7. Members*
 51 *elected to the board of directors of a merged area shall*
 52 *qualify by taking the oath of office prescribed in section*
 53 *277.28.*

54 3. Renumber sections as necessary to conform with the
 55 amendment.

SHAW of Scott

AMENDMENT TO THE TEMPORARY RULES OF THE HOUSE
 (House Rule 51)

1 Amend Rule 51, line 11, by striking the period and
 2 inserting in lieu thereof "except by an affirmative vote of
 3 not less than fifty-one members of the House."

COMMITTEE ON RULES

ANDREW VARLEY, Chairman

AMENDMENT TO THE TEMPORARY RULES OF THE HOUSE
 (House Rule 36)

1 Amend Rule 36 of the Temporary Rules of the House as
 2 follows:

3 1. By striking lines 1 through 4 and inserting in lieu
 4 thereof the following:
 5 "Privately sponsored bills originating in the House
 6 shall not be reported out of committee after February 18,
 7 1972 unless the bill is an appropriation bill. Bills
 8 originating in the Senate shall not be reported out of
 9 committee after March 3, 1972. House committee bills
 10 and appropriation bills shall not be reported out of
 11 committee after March 3, 1972. After March 15, 1972
 12 the House shall only consider bills which have passed the

13 Senate, bills which are the subject of conference committee
14 reports, or procedures which are necessary for adjournment.”
15 2. By striking from the heading the words “on last two
16 days”.

COMMITTEE ON RULES
ANDREW VARLEY, Chairman

On motion by Varley of Adair, the House adjourned until 9:00
a.m., Thursday, January 20, 1972.

JOURNAL OF THE HOUSE

Eleventh Calendar Day—Ninth Session Day

HALL OF THE HOUSE OF REPRESENTATIVES
DES MOINES, IOWA, THURSDAY, JANUARY 20, 1972

The House met pursuant to adjournment, Speaker Harbor in the chair.

Prayer was offered by the Reverend C. Kent Wever, pastor of the Grace United Methodist Church, New Albin, Iowa.

The Journal of Wednesday, January 19, 1972, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Charles Waterbury, Waterloo.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Lipsky of Linn by the Speaker; Fisher of Greene for January 20 and January 21 on request of Nielsen of Shelby; Camp of Clinton for January 20 and January 21 on request of Tieden of Clayton.

BIRTHDAY CONGRATULATIONS

Kruse of O'Brien rose on a point of personal privilege and on behalf of the House extended to the Honorable John C. Mendenhall a "Happy Birthday."

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Forty students from Lincoln High School, Des Moines, Iowa, accompanied by their teacher, Mrs. Carol Brown. By Anania of Polk.

PETITIONS FILED

The following petitions were received and placed on file:

By Stanley of Linn, from forty-one residents of Linn County opposing Senate File 252 relating to imposing taxes on churches.

By Edelen of Emmet, a resolution from seven members of the

Kossuth County Board of Education, and Kelly of Woodbury, from forty-six residents of Woodbury County, favoring the abolishment of the present county and joint county school systems in Iowa and replacing them with a statewide system of from twelve to sixteen educational service units authorized to provide services to local schools.

By Schmeiser of Des Moines, from fifty-five residents of Louisa County opposing legalization of gambling, sale of liquor in grocery stores, and taxing church property.

ADOPTION OF COMMITTEE REPORT

The Chief Clerk announced the adoption of report of committee on House File 1006, under Rule 35.

INTRODUCTION OF BILLS

House File 1045, by Lipsky (Riley), a bill for an act changing the local budget certification date of school districts.

Read first time and referred to committee on **schools**.

House File 1046, by Andersen (Griffin), a bill for an act relating to the Iowa public employees' retirement system.

Read first time and referred to committee on **state government**.

House File 1047, by Alt, a bill for an act relating to the lending and investing powers of savings and loan associations.

Read first time and referred to committee on **commerce**.

House File 1048, by Welden (Potgeter), a bill for an act permitting the commissioner of social services to grant water and sewage easement to the municipal corporation of Eldora.

Read first time and referred to committee on **social services**.

House File 1049, by Gluba, a bill for an act relating to the merit system classification and pay plans.

Read first time and referred to committee on **state government**.

House File 1050, by Blouin, Small, Gluba and Franklin, a bill for an act relating to the elimination of state owned liquor stores; to provide for the wholesale and retail sale of liquor by private licensees; to provide for the taxes thereon and for the sale and distribution of excise tax stamps by the department of

revenue; relating to penalties of liquor and beer laws, and to otherwise provide for administrative procedures and practices to carry out the intent of this act.

Read first time and referred to committee on law enforcement.

ADOPTION OF HOUSE MEMORIAL RESOLUTION

Fisher of Greene offered the following House memorial resolution and moved its adoption:

HOUSE MEMORIAL RESOLUTION

Whereas, The Honorable Paul N. Robson of Greene County, who was a member of the Fortieth and Fortieth Extra sessions of the General Assembly from Greene County, passed away on August, 12, 1971; now, therefore,

Be It Resolved by the House of Representatives, That a committee of three be appointed by the Speaker of the House to prepare suitable resolutions commemorating his life, character, and service to the state.

The motion prevailed and the Speaker appointed as such committee Fisher of Greene, Knoblauch of Carroll and Winkelman of Calhoun.

REQUEST TO WITHDRAW NAME FROM AMENDMENT

(Senate File 77)

Ellsworth of Dubuque asked and received unanimous consent that his name be withdrawn as a sponsor of the amendment filed to Senate File 77 on June 17, 1971, and found on pages 2146 and 2147 of the House Journal.

SENATE FILE 470 RE-REFERRED

Lawson of Cerro Gordo asked and received unanimous consent that Senate File 470 now on the House calendar be re-referred to the committee on state government.

CONSIDERATION OF BILLS

REGULAR CALENDAR

House File 1033, a bill for an act relating to the regulation of liquid transport carriers, was taken up for consideration.

Curtis of Cherokee moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1033)

The ayes were, 83:

Alt	Gluba	Mendenhall	Scott
Anania	Grassley	Menefee	Shaw
Andersen	Hamilton	Middleswart	Siglin
Bennett	Hansen	Millen	Small
Bergman	Hill	Miller	Stanley
Blouin	Holden	Moffitt	Stokes
Bray	Husak	Mollett	Strand
Campbell	Jesse	Monroe	Stromer
Christensen	Johnston	Nielsen	Strothman
Clark	Kehe	Norpel	Taylor
Cochran	Kennedy	Patton	Tieden
Curtis	Knoblauch	Pellett	Trowbridge
Den Herder	Knoke	Pelton	Varley
Dougherty	Kreamer	Pierson	Waugh
Doyle	Kruse	Priebe	Wells
Drake	Larson	Radl	Willits
Dunton	Lawson	Rex	Winkelman
Edelen	Logemann	Rodgers	Wirtz
Ellsworth	Mayberry	Sargisson	Wyckoff
Fischer, H. O.	McCormick	Schmeiser	Mr. Speaker
Freeman	McElroy	Schroeder	

The nays were, 2:

Schwieger Uban

Absent or not voting, 15:

Camp	Franklin	Lipsky	Skinner
Egenes	Goode	Nystrom	Sorg
Ewell	Kelly	Roorda	Welden
Fisher, C. R.	Kinley	Schwartz	

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

HOUSE FILE 599 TABLED

House File 599, a bill for an act relating to false drawing and uttering of financial instruments, with report of committee recommending passage, was taken up for consideration.

Monroe of Des Moines offered the following amendment filed by him and moved its adoption:

Amend House File 599 as follows:

1. Page 1, line 8, by striking the words "because of insufficient".
2. Page 1, line 9, by striking the words "funds of the maker or drawer or".

A non-record roll call was requested.

The ayes were 66, nays 25.

The amendment was adopted.

Freeman of Buena Vista asked for unanimous consent that House File 599 be re-referred to the committee on commerce.

Objection was raised.

Freeman of Buena Vista moved that House File 599 be re-referred to the committee on commerce.

Johnston of Johnson moved as a substitute motion that House File 599 be re-referred to the committee on judiciary.

Freeman of Buena Vista moved that House File 599 be tabled.

A non-record roll call was requested.

The ayes were 81, nays 8.

The motion prevailed.

HOUSE FILE 69 DEFERRED

The House resumed consideration of the Senate amendment to House File 69, a bill for an act relating to errors and omissions insurance for county officers and employees, filed on June 16, 1971, and found on pages 2073 and 2074 of the House Journal.

Schroeder of Pottawattamie asked for unanimous consent to substitute the following amendment for his amendment filed on June 17, 1971, and found on pages 2144 and 2145 of the House Journal:

Amend the Senate amendment to House File 69 by striking lines 2 through 19 and inserting in lieu thereof the following:

1. Page 1, by adding after line 5 the following:

“Sec. 2. There is created in the state treasury an error and omission fund which shall be used exclusively to pay any judgment or settlement obtained against a county for an error or omission committed by a county officer or employee in the performance of his official duties and to pay any loss sustained by a county as the result of an embezzlement by a county officer or employee occurring subsequent to the effective date of this Act. The fund shall not be used to pay premiums on fidelity bonds, liability and property damage insurance, or errors and omissions insurance.

Sec. 3. The board of supervisors of each county shall levy annually for two consecutive years commencing January 1, 1972, a tax of three one-hundredths of a mill against the assessed value of the taxable property in the county.

Thereafter, the tax shall be levied annually only if the treasurer of state certifies to each county that

the balance of the error and omission fund has been reduced below three hundred thousand dollars.

The tax shall be levied and collected in each county at the same time and in the same manner as other property taxes.

Sec. 4. Not later than the fifteenth of April or the fifteenth day of October of each year in which the tax is collected, the county auditor shall transmit the amount of the tax levied, by warrant, to the treasurer of state who shall credit it to the error and omission fund. The treasurer of state shall invest any moneys in the fund in the same manner as other public funds and shall credit any interest received from that investment to the error and omission fund.

Sec. 5. When a judgment or settlement is obtained against the county for an error or omission committed by a county officer or employee, or a loss is sustained by the county as the result of an embezzlement by a county officer or employee occurring subsequent to the effective date of this Act, the county attorney, with the approval of the district court of that county, shall submit a claim to the state comptroller against the error and omission fund for any amount which has not been recovered. The state comptroller shall promptly issue a warrant for the claim and the treasurer of state shall pay it.

If any amount previously claimed from the error and omission fund is subsequently recovered from another source, the county treasurer shall pay such amounts to the treasurer of state for deposit in the error and omission fund.

Sec. 6. Sections 334.13 through 334.22, Code 1971, inclusive, are repealed.

Sec. 7. The effective date of this Act shall be January 1, 1973."

Objection was raised.

Fischer of Grundy moved that House File 69 be deferred until Friday, January 21, 1972.

A non-record roll call was requested.

The ayes were 55, nays 26.

The motion prevailed.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has refused to concur in the House amendment to the following bill in which the concurrence of the Senate was asked:

Senate File 392, a bill for an act relating to the eradication of hog cholera.

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

House File 574, a bill for an act relating to home rule for cities.

CARROLL A. LANE, Secretary

SENATE AMENDMENT TO HOUSE FILE 574

- 1 Amend House File 574, as amended, passed and reprinted by the
- 2 House as follows:
- 3 1. Page 3, line 23, by striking the words "which is" and
- 4 inserting in lieu thereof the words "any of which are".
- 5 2. Page 4, line 10, by inserting after the comma the follow-
- 6 ing: "or in the case of ordinances and amendments to be
- 7 published in a city in which no newspaper is published,".
- 8 3. Page 5, line 24, by inserting after the word "employee"
- 9 the words "or the spouse or immediate family of such officer
- 10 or employee".
- 11 4. Page 6, line 21, strike the figure "1971" and insert in
- 12 lieu thereof the figure "1972".
- 13 5. Page 6, line 24, strike the figure "1973" and insert in
- 14 lieu thereof the figure "1974".
- 15 6. Page 6, line 25, strike the figures "1971" and "1973"
- 16 and inserting in lieu thereof the figures "1972" and "1974"
- 17 respectively.
- 18 7. Page 6, line 30, insert after the word "divisions" the
- 19 words "or parts of a division".
- 20 8. Page 6, line 34, strike the figure "1973" and insert in
- 21 lieu thereof the figure "1974".
- 22 9. Page 7A, line 5, strike the word "and" and insert in lieu
- 23 thereof the words ", and if".
- 24 10. Page 7A, by inserting after the period in line 10 the
- 25 following: "This grant of home rule powers does not include
- 26 the power to enact private or civil law governing civil
- 27 relationships, except as incident to an exercise of an
- 28 independent city power."
- 29 11. Page 8A by striking lines 9 through 12, inclusive, and
- 30 inserting in lieu thereof the following:
- 31 "Cities may pay, out of the general fund, annual dues
- 32 to the league of Iowa municipalities, provided that the sum
- 33 total of annual dues collected by the league from cities
- 34 shall not exceed ninety thousand (90,000) dollars. In
- 35 addition they may pay out of the general fund the actual
- 36 expenses of delegates to the annual conference of the league.
- 37 The league shall keep and make such accounts and reports as
- 38 shall be required by the state municipal accounting depart-
- 39 ment, and the same shall be annually checked by said depart-
- 40 ment."
- 41 12. Page 8A, by striking lines 17 through 35, inclusive, and
- 42 on page 8B, by striking lines 36 through 42, inclusive, and
- 43 inserting in lieu thereof the following:
- 44 "Sec. 16. A city may not dispose of an interest in real

45 property by sale, lease for a term of more than three years,
46 or gift, except in accordance with the following procedure:

47 1. The council shall set forth its proposal in a
48 resolution and shall publish notice as provided in section
49 three (3) of this Act, of the resolution and of a date, time,
50 and place of a public hearing on the proposal.

51 2. After the public hearing, the council may make a final
52 determination on the proposal by resolution.

53 3. A city may not dispose of real property by gift
54 except to a governmental body for a public purpose."

55 13. Page 8B, lines 43 and 44, by striking the words "having
56 a population of five thousand or more".

57 14. Page 10, after line 35, insert the following new section:

58 "Sec. All railway companies shall construct and
59 repair all street improvements between the rails of their
60 tracks, and one foot outside, at their own expense, unless
61 by ordinance the railway is required to improve other portions
62 of the street, and in that case the railway shall construct and
63 repair the improvement of that part of the street specified
64 by the ordinance, and the improvement or repair must be of
65 the material and character ordered by the city, and must be
66 done at the time the remainder of the improvement is
67 constructed or repaired.

68 When an improvement is made, the company shall lay rail
69 as required by the council, and shall then keep up to grade
70 that part of the improvement they are required to construct
71 or maintain.

72 If a railway fails or refuses to comply with the order
73 of the council to construct or repair an improvement, the
74 work may be done by the city and the expense shall then be
75 assessed upon the property of the railway company, for
76 collection in the same manner as a property tax. A tax
77 assessed under this section shall also be a debt due from the
78 railway, and may be collected in an action at law in the same
79 manner as other debts."

80 15. Page 11, line 34, by inserting after the word "wood"
81 the following: ", except as stated in section twenty (20),
82 subsection two (2), paragraph c of this Act".

83 16. Page 13, insert after line 12 the following new
84 section:

85 "Sec. If a city has established the grade of a
86 street or alley, and any person has made improvements on
87 lots abutting the street or alley according to the
88 established grade, and afterward the grade is altered in
89 a manner to damage, injure, or diminish the value of the
90 improved property, the city shall pay to the owner of the
91 property the amount of such damage or injury.

92 If a city has opened a street or alley, and any person
93 has made improvements on lots abutting the street or alley
94 or uses such street or alley for ingress or egress, and
95 afterward the street or alley is vacated causing damage or
96 injury or loss of access, or diminishing the value of the
97 improved property, the city shall pay to the owner of the
98 property the amount of such damage or injury."

99 17. Page 15, line 9, insert after the period the following

100 sentence:

101 "Territory comprising railroad right-of-way may be included
102 in the application without the consent of the railroad if
103 a copy of the application is mailed by certified mail to the
104 owner of the right-of-way, at least ten days prior to the
105 filing of the application with the city council."

106 18. Page 15, by inserting after line 17 the following new
107 section:

108 "Sec. Any territory may be severed upon the unanimous
109 consent of all owners of the territory and approved by resolution
110 of the council of the city in which the territory is located.
111 The council shall provide in the resolution for the equitable
112 distribution of assets and equitable distribution and assumption
113 of liabilities of the territory as between the city and the
114 severed territory. The severance shall be completed upon filing
115 the resolution as provided in section forty-one (41), subsection
116 two (2) of this Act."

117 19. Page 15, line 24, by striking the words "advice and
118 consent" and by inserting in lieu thereof the words "approval
119 of two-thirds vote".

120 20. Page 15, line 28, by inserting after the word "reappoint-
121 ment" the words ", but no member shall serve more than two
122 complete six-year terms".

123 21. Page 15, line 30, by striking the word "forty" and insert-
124 ing in lieu thereof the word "thirty".

125 22. Page 17, by striking lines 28 and 29 and inserting in lieu
126 thereof the words "his actual and necessary expenses spent in
127 performance of committee duties."

128 23. Page 18, lines 30 and 31, by striking the following:
129 "The committee may consider any information relevant to the
130 proposal."

131 24. Page 20, line 20, insert after the word "incorporation"
132 the words "or discontinuance".

133 25. Page 20, line 21, insert after the word "territory" the
134 words "or city".

135 26. Page 24, by inserting after line 10 the following new
136 paragraph:

137 "A city governed by the mayor-council form composed of
138 a mayor and a council consisting of two councilmen elected
139 at large, and one councilman from each of four wards, may
140 continue until the form of government is changed as provided
141 in section forty-five (45) or section fifty-two (52) of this
142 Act. While a city is thus operating with an even number of
143 councilmen, the mayor may vote to break a tie vote on motions."

144 27. Page 31, line 33, by striking the words and comma "the
145 state library,".

146 28. Page 33, line 13, by inserting after the word "hold" the
147 following "general,".

148 29. Page 33, line 14, by striking the words "All applicable"
149 and by striking all of lines 15, 16 and 17.

150 30. Page 35, by striking lines 28 through 30, inclusive.

151 31. Page 38, line 1, by striking the words "a measure" and
152 inserting in lieu thereof the words "an ordinance, amendment,
153 or resolution".

154 32. Page 38, insert after the period in line 2 the following:

155 "A motion to spend public funds in excess of ten thousand
156 dollars on any one project, or a motion to accept public
157 improvements and facilities upon their completion, also
158 requires an affirmative vote of not less than a majority
159 of the council members."

160 33. Page 42, by striking all of lines 21 through 27, inclusive,
161 and line 28 by striking the first word "the" and inserting in
162 lieu thereof the word "The".

163 34. Page 48, line 1, by striking all after the word "select"
164 and by striking lines 2 and 3 and inserting in lieu thereof
165 the following: "and appoint, with the approval of two-thirds
166 of the members of the senate, the city officials."

167 35. Page 48, line 5, by striking the words "by the governor"
168 and inserting in lieu thereof the following: "and appointed
169 by the governor, with the approval of two-thirds of the members
170 of the senate".

171 36. Page 48, line 18, by inserting after the word "reappointment"
172 the following: ", but no members shall be appointed to serve more
173 than two complete terms".

174 37. Page 48, line 26, by striking the word "forty" and inserting
175 in lieu thereof the word "thirty".

176 38. Page 51, line 27, by striking the words "by the council".

177 39. Page 54, line 19, by inserting after the period the
178 following: "A copy of this report must be furnished to the
179 auditor of state."

180 40. Page 55, lines 6 and 7, by striking the words "or
181 convenient".

182 41. Page 56, line 20, by striking the words "or convenient".

183 42. Page 57, lines 5 and 6, by striking the words "or convenient".

184 43. Page 57, line 10, by striking the word "water" and insert-
185 ing in lieu thereof the word "waterways".

186 44. Page 57, by inserting after line 22 the following new
187 paragraphs:

188 "..... The equipping of fire, police, sanitation, street,
189 and civil defense departments."

190 "..... The acquisition and improvement of real estate for
191 cemeteries, and the construction, reconstruction, and repair
192 of receiving vaults, mausoleums, and other cemetery facilities."

193 "..... The acquisition of ambulances and ambulance equipment."

194 45. Page 58, by striking lines 7 through 12, inclusive, and
195 relettering the remaining paragraphs.

196 46. Page 60, by striking lines 6 through 35, inclusive, and
197 page 61, by striking lines 1 through 7 and inserting in lieu
198 thereof the following:

199 "2. Before the council may institute proceedings for
200 the issuance of bonds for a general corporate purpose, it
201 shall call a special city election to vote upon the question
202 of issuing the bonds. At the election the proposition must
203 be submitted in the following form:"

204 47. Page 62, line 1, by striking the word and figure
205 "four (4)" and inserting in lieu thereof the following:
206 "three (3)".

207 48. Page 62, line 13, by striking the words and figures
208 "four (4) and five (5)" and inserting in lieu thereof the
209 following: "three (3) and four (4)".

- 210 49. Page 62, line 19, by striking the words "petitions
211 and".
- 212 50. Page 66, line 1, by inserting after the word "part"
213 the words "if such lots bear common improvements".
- 214 51. Page 66, line 32, by striking all after the word "streets"
215 and all of line 33 and by inserting in lieu thereof a period.
- 216 52. Page 72, line 18, by inserting after the word "objections"
217 the following: "pertaining to the regularity of the proceed-
218 ing and the legality of using the special assessment procedure".
- 219 53. Page 73, line 11, by striking the word "ten" and inserting
220 in lieu thereof the word "fifteen".
- 221 54. Page 76, line 13, by striking the words "within seven
222 days" and by inserting in lieu thereof the words "as soon as
223 practical".
- 224 55. Page 76, line 19, by striking all after the word "be"
225 and all of lines 20 through 22, inclusive, and by inserting
226 in lieu thereof the words "taken as in other equity cases."
- 227 56. Page 78, lines 24 and 25, by striking the words "from
228 any funds of the state not otherwise appropriated" and
229 inserting in lieu thereof the following: "as provided in
230 section three hundred seven point ten (307.10) of the
231 Code".
- 232 57. Page 78, line 32, by inserting after the word "pay"
233 the following: ", as provided in section three hundred
234 seven point ten (307.10) of the Code,".
- 235 58. Page 80, line 28, by inserting after the period the
236 following: "No special assessment against any lot shall be
237 more than ten percent in excess of the estimated cost, as
238 provided in the preliminary schedule required under section
239 one hundred twenty-five (125) of this Act."
- 240 59. Page 80, line 34, by inserting after the word "of"
241 the word "annual".
- 242 60. Page 81, line 15, by inserting after the period the
243 following: "Such notice shall also include a statement in
244 substance that assessments may be paid in full without interest
245 within thirty days after the date of certification, and there-
246 after all unpaid special assessments will draw annual interest
248 at seven percent, computed to the June first next following
248 the due dates of the respective installments, and each
249 installment will be delinquent on March thirty-first following
250 its due date, and will draw additionally the same delinquent
251 interest and the same penalties as ordinary taxes. Such
252 notice shall also state substantially that property owners
253 may elect to pay any installment semiannually in advance."
- 254 61. Page 82, line 6, by inserting after the word "council"
255 the words "or as reduced by the court".
- 256 62. Page 82, line 7, by striking the words "However,
257 special" and inserting in lieu thereof the word "Special".
- 258 63. Page 82, line 11, by striking the word "not".
- 259 64. Page 83, by striking lines 22 through 28, inclusive,
260 and inserting in lieu thereof the following:
261 "6. Any property owner may elect to pay one-half of
262 any annual installment of principal and interest of a
263 special assessment in advance, with the second semiannual
264 payment of ordinary taxes collected in the year preceding

265 the due date of such installment. The county treasurer
266 shall accept such partial payment of the special assess-
267 ment, and shall credit the next annual installment of
268 such special assessment to the extent of such payment,
269 and shall remit the payments to the city."

270 65. Page 83, line 33, by inserting after the word
271 "proceedings" the words "or legality of the assessment
272 procedure".

273 66. Page 84, line 8, by striking all after the word
274 "located" and all of lines 9 and 10 and by inserting
275 in lieu thereof the words "but such appeal is only to".

276 67. Page 89, by inserting after line 9 the following new
277 paragraph:

278 "However, if the city does not certify the assessments
279 within six months of final publication as required by part
280 four (4) of division seven (VII) of this Act, all such
281 assessments shall be null, void, and of no effect. Any
282 bonds issued with such void assessments as security shall be
283 paid by the city as they become due out of its debt service
284 as provided in section eighty-two (82) of this Act."

285 68. Page 98, lines 2 and 3, by striking the words "by
286 resolution".

287 69. Page 98, line 9, by striking the words "by resolution".

288 70. Page 98, line 19, by inserting after the period the
289 following: "Rates must be established by ordinance of the
290 council or by resolution of the trustees, published in the
291 same manner as an ordinance."

292 71. Page 98, line 22, by striking the word "resolution"
293 and inserting in lieu thereof the following: "ordinance
294 of the council or by resolution of the trustees published
295 in the same manner as an ordinance,"

296 72. Page 104, line 18, by inserting after the word "be"
297 the word "in".

298 73. Page 104, by striking line 35, and page 105, by striking
299 lines 1 through 13, inclusive.

300 74. Page 105, line 16, by striking the words "after the
301 award of contract has been made." and inserting in lieu thereof
302 the following: "as soon as the successful bidder is determined
303 or within thirty days whichever is sooner."

304 75. Page 106, line 12, by striking the following: ", con-
305 struction, or reconstruction".

306 76. Page 106, line 13, by striking the word "to" and insert-
307 ing in lieu thereof the word "of".

308 77. Page 108, by inserting after line 35 the following:

309 "In cities having more than one hundred fifty thousand
310 population the utility board shall each month prepare in
311 pamphlet form the statement herein required for the preceding
312 month, and furnish copies to the city library, the daily
313 newspapers of the city, the city clerk, and to persons who
314 apply at the office of the secretary, and the pamphlet shall
315 constitute publication as required."

316 78. Page 109, by striking all of line 24 after the word
317 "franchise" and all of line 25, and inserting in lieu thereof
318 a period.

319 79. Page 110, lines 2 and 3, by striking the words “, collect,
320 or dispense charges” and by inserting in lieu thereof the
321 following: “and collect charges, and dispense the moneys
322 received”.

323 80. Page 110, lines 32 and 33, by striking the words “or a
324 city hospital board of trustees”.

325 81. Page 111, line 1, by striking the word “boards” and
326 inserting in lieu thereof the word “board”.

327 82. Page 111, line 5, by striking the words “or hospital”.

328 83. Page 111, line 7, by striking the words “or hospital”.

329 84. Page 111, by striking lines 8, 9, 10 and 11, inclusive.

330 85. Page 111, line 13, by striking the words “or hospital”.

331 86. Page 111, line 28, by adding the following new section:

332 “Sec. If a hospital or health care facility is
333 established by a city, the city shall by ordinance provide for
334 the election, at a general, city, or special election, of
335 three trustees, whose terms of office shall be six years;
336 but at the first election, three shall be elected and hold
337 their office, respectively, for two, four, and six years,
338 and they shall by lot determine their respective terms. A
339 board of trustees elected pursuant to this section shall
340 serve as the sole and only board of trustees for any and
341 all institutions established by a city as provided for
342 in this section.

343 Cities maintaining an institution as provided for in
344 this section which have a board of trustees consisting of
345 three members may by ordinance increase the number of
346 members to five and provide for the appointment of one
347 of the additional members until the next succeeding general
348 or city election, and for the appointment of the other
349 additional member until the second succeeding general or
350 city election. Thereafter, the terms of office of such
351 additional members shall be six years.

352 The trustees shall within ten days after their election
353 qualify by taking the oath of office, and organize as a
354 board by the election of one of their number as chairman
355 and one as secretary, but no bond shall be required of
356 them.

357 The official serving as treasurer of the city shall be
358 the treasurer of the board of trustees, and shall receive
359 and disburse all funds under the control of the board as
360 ordered by it, but shall receive no additional compensation
361 for his services. The treasurer shall give bond in a form
362 and amount as determined by the board in its discretion.

363 No trustee shall receive any compensation for his services
364 performed, but he may receive reimbursement for any cash
365 expenses actually made for personal expenses incurred as
366 trustee, but an itemized statement of all expenses and
367 moneys paid out shall be made under oath by each of the
368 trustees and filed with the secretary and allowed only
369 by the affirmative vote of the full board.

370 The board of trustees shall be vested with authority
371 to provide for the management, control, and government of
372 the city hospital or health care facility established as
373 permitted by this section, and shall provide all needed

374 rules and regulations for the economic conduct thereof
375 and shall annually prepare a condensed statement of the
376 total receipts and expenditures for the hospital or health
377 care facility and cause the same to be published in a
378 newspaper of general circulation in the city in which the
379 hospital or health care facility is located. In the
380 management of the hospital or health care facility no
381 discrimination shall be made against practitioners of any
382 school of medicine recognized by the laws of the state.

383 As a part of the board's authority it may accept
384 property by gift, devise, bequest or otherwise; and,
385 if the board deems it advisable, may, at public sale, sell
386 or exchange any property so accepted upon a concurring
387 vote of a majority of all members of the board of trustees,
388 and apply the proceeds thereof, or property received in
389 exchange therefor, to any legitimate hospital or health
390 care facility purpose.

391 The trustees may in their discretion establish a fund
392 for depreciation as a separate fund. Said funds may be
393 invested in United States government bonds and when so
394 invested the accumulation of interest on the bonds so
395 purchased shall be used for the purposes of the depreciation
396 fund; an investment when so made shall remain in United
397 States government bonds until such time as in the judgment
398 of the board of trustees it is deemed advisable to use the
399 funds for hospital or health care facility purposes.

400 Boards of trustees of institutions provided for in
401 this section are granted all of the powers and duties necessary
402 for the management, control and government of the institutions,
403 specifically including but not limited to any applicable
404 powers and duties granted boards of trustees under other
405 provisions of the Code relating to hospitals, nursing homes,
406 and custodial homes irrespective of the chapter of the Code
407 under which such institutions are established, organized,
408 operated or maintained."

409 87. Page 118, by inserting after line 27 the following new
410 section:

411 "Sec. Section twenty-six point six (26.6),
412 Code 1971, as amended by chapter one hundred sixty-five
413 (165), section forty-five (45), Acts of the Sixty-fourth
414 General Assembly, First Session, is amended to read as
415 follows:

416 26.6. POPULATION OF COUNTIES, TOWNSHIPS, CITIES,
417 AND TOWNS. Whenever the population of any county, town-
418 ship, city, or town is referred to in any law of this
419 state, it shall be determined by the last *preceding*
420 certified[, or certified and published, official] *federal*
421 census unless otherwise provided. [However, the popula-
422 tion figure disclosed for any city or town as the result
423 of a special federal census as modified as the result
424 of consolidation or annexation in the manner provided
425 in sections 312.3, and 123.50, shall be considered for
426 no other purposes than the application of section 123.50,
427 312.3 and the provisions of this division.] Whenever a special

428 federal census is hereafter taken by any city [or town], the
429 mayor and council shall certify the [said] census as soon as
430 possible to the secretary of state and to the treasurer of
431 state as otherwise herein provided, and failing to do so,
432 the treasurer of state shall, after six months from the date
433 of [said] *the* special census, turn over such moneys as
434 authorized by sections 123.50 [and], 312.3 and the provisions
435 of chapter 165, division IV, Acts of the Sixty-fourth
436 General Assembly, First Session, to the general fund of
437 the state, and continue to do so until such time as
438 certification by [said] *the* mayor and council is made, or
439 until the next decennial federal census. If there be a
440 difference between the original certified record in the
441 office of the secretary of state and the published census
442 the former shall prevail."

443 88. Page 118, line 33, by striking the word "*convenient*"
444 and inserting in lieu thereof the word "*necessary*".

445 89. Page 120, line 30, by striking the words "or town,"
446 and inserting the words "[or town,]"

447 90. Page 121, line 5, by striking the words ", city or
448 town" and inserting in lieu thereof the following:
449 "[city or town] or city".

450 91. Page 122, line 33, by striking the word "*five*" and
451 by inserting in lieu thereof the word "*three*".

452 92. Page 123, line 31, by adding thereafter the following
453 new subsection:

454 "..... *All such election precincts shall be established*
455 *within the boundaries of a representative district as*
456 *established by law.*"

457 93. Page 123, by striking lines 34 and 35 and page 124 by
458 striking lines 1 through 8, inclusive, and inserting in lieu
459 thereof the following:

460 "as amended by chapter one hundred (100), section one (1),
461 Acts of the Sixty-fourth General Assembly, First Session,
462 is amended to read as follows:

463 49.7 PORTIONS OF TOWNSHIPS COMBINED. No precinct
464 shall contain different townships or parts thereof, except
465 for other than city elections where the board of supervisors
466 has combined two or more contiguous townships into one
467 election precinct or where, by reason of the existence of
468 a village or [incorporated town] city of less than two thousand
469 population on or near a township line, the board of supervisors
470 may create a voting precinct in compact form, from [said town]
471 the city or village, and may include [therein] territory
472 adjoining and adjacent to [said] the village or [town] city,
473 which is situated in two or more townships."

474 94. Page 124, by striking lines 9 through 13, inclusive.

475 95. Page 135, by striking lines 9 through 14, inclusive and
476 inserting in lieu thereof the following:

477 "3. Payment of all or part of the cost of construction
478 and maintenance of bridges in cities [and towns] having a
479 population of eight thousand or less and all or part of
480 the cost of construction of roads located within [an
481 incorporated town] a city, of less than four hundred popu-
482 lation, which lead to state parks."

- 483 96. Page 139, line 2, by striking the words "the drug
484 and narcotic laws" and inserting in lieu thereof the
485 following: "[the drug and narcotic laws] *Senate File One (1),*
486 *Acts of the Sixty-fourth General Assembly, First Session,*
487 *and other laws relating to controlled substances*".
- 488 97. Page 139, by striking lines 14 through 35, inclusive,
489 and page 140 by striking lines 1 and 2.
- 490 98. Page 151, line 27, by striking the word "convenient"
491 and inserting in lieu thereof the word "necessary".
- 492 99. Page 154, line 1, by striking the word "convenient"
493 and inserting in lieu thereof the word "necessary".
- 494 100. Page 162, line 31, by striking the word "legal" and
495 inserting in lieu thereof the word "qualified".
- 496 101. Page 166, line 32, by adding after the period the
497 following: "However, any interest derived from bonds
498 issued by the authority shall be subject to taxation."
- 499 102. Page 170A, line 18, by striking the word "qualified"
500 and inserting in lieu thereof the following: "[legal] *qualified*".
- 501 103. Page 175, by striking lines 24 through 35, inclusive,
502 and page 176A, by striking lines 1 through 4, inclusive,
503 and inserting in lieu thereof the following:
504 "teen (358B.16), Code 1971, as amended by chapter two
505 hundred five (205), section one (1), Acts of the Sixty-
506 fourth General Assembly, First Session, is amended to read
507 as follows:
508 **358B.16 WITHDRAWAL OF CITY [OR TOWN] FROM DIS-**
TRICT.
- 509 [Whenever any incorporated] A city [or town, having maintained
510 a library pursuant to the provisions of chapter 378 for
511 at least ten years and having levied a tax of its own for
512 the same purpose, shall decide to] *may* withdraw from the
513 county library district[, it may do so] by giving notice by
514 certified mail to the board of library trustees of [said] *the*
515 county library and the county auditor prior to July 10,
516 [by the governing body of said incorporated city or town,
517 of its withdrawal from the county library district,] and
518 *on that date* shall cease to be a part of or included in [said]
519 *the* county library district."
- 520 104. Page 182, line 4, by striking the first comma following
521 the figure "(420.14)" and inserting in lieu thereof the word
522 "through".
- 523 105. Page 188, by striking lines 3 through 17, inclusive, and
524 inserting in lieu thereof the following:
525 "(453.9), unnumbered paragraph one (1), Code 1971, as amended
526 by chapter two hundred twenty-one (221), section three (3),
527 Acts of the Sixty-fourth General Assembly, First Session,
528 is amended to read as follows:
529 **453.9 INVESTMENT OF SINKING FUNDS.** The governing
530 council or board who by law are authorized to direct the
531 depositing of funds shall be authorized to direct the
532 treasurer *or other designated financial officer* to invest
533 any fund not an active fund needed for current use and
534 which is being accumulated as a sinking fund for a definite
535 purpose, the interest on which is used for the same purpose,

536 in savings accounts in banks, in the certificates or warrants
 537 provided by section 454.19, or make time deposits of such funds
 538 as provided in this chapter and receive time certificates of
 539 deposit therefor, or in bonds or other evidences of indebted-
 540 ness issued, assumed, or guaranteed by the United States of
 541 America, or by any agency or instrumentality thereof, or in
 542 local certificates or warrants issued by any municipality
 543 or school district within the county, or in municipal or
 544 school district bonds which constitute a general liability,
 545 and the treasurer *or other officer* when so directed shall so
 546 invest such fund."

547 106. Page 189, by striking line 18 and inserting in lieu thereof
 548 the following:

549 "Upon all cities for public purposes which are reasonable
 550 and necessary as an incident to the powers and duties conferred
 551 upon cities."

552 107. Page 191, line 17, by striking the word "Whenever" and
 553 inserting in lieu thereof the following: "Except as other-
 554 wise provided by chapter two hundred sixteen (216), Acts
 555 of the Sixty-fourth General Assembly, First Session,
 556 whenever".

557 108. Page 191, line 32, by inserting after the word "thereof"
 558 the following: ", except as otherwise provided by chapter
 559 two hundred sixteen (216), Acts of the Sixty-fourth General
 560 Assembly, First Session".

561 109. Further amend House File 574 by renumbering sections
 562 and correcting internal references to conform with this
 563 amendment.

REPORTS OF COMMITTEE

Tieden of Clayton, from the committee on conservation and recreation, submitted the following reports:

MR. SPEAKER: Your committee on conservation and recreation, to whom was referred **House File 711**, a bill for an act relating to registration and safety regulations for snowmobiles, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same **be amended as follows, and when so amended the bill do pass:**

Amend House File 711 as follows:

1. Page 5, line 7, by striking the figures "1971" and inserting in lieu thereof the figures "1972".

2. Page 5, line 12, by striking the figures "1972" and inserting in lieu thereof the figures "1973".

3. Page 5, line 20, by striking the figures "1971" and inserting in lieu thereof the figures "1972".

4. Page 5, by striking lines 26 through 35 and inserting in lieu thereof the following:

"Sec. 8. Section three hundred twenty-one

G point thirteen (321G.13), subsection six (6), Code 1971, is amended to read as follows:

6. With any firearms in or on the vehicle, except in the possession of a peace officer.

Sec. 9. Section three hundred twenty-one G point thirteen (321G.13), Code 1971, is amended by adding the following subsection:."

2. By renumbering the remaining sections.

TIEDEN of Clayton, Chairman

Also:

MR. SPEAKER: Your committee on conservation and recreation, to whom was referred **House File 726**, a bill for an act imposing damage liability for the unlawful destruction, taking, or possession of wildlife owned by the State of Iowa, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same **do pass**.

TIEDEN of Clayton, Chairman

AMENDMENTS FILED

- 1 Amend House File 597, page 2, by inserting
- 2 after line 28 the following:
- 3 "7. The director of general services."

REX of Hamilton
WELDEN of Hardin

- 1 Amend House File 1036, page 2, line 5, by
- 2 striking the word "conditioned" and inserting in
- 3 lieu thereof the word "sufficient".

REX of Hamilton

- 1 Amend Senate File 593, as amended and passed by
- 2 the Senate, as follows:

- 3 1. Page 1, line 10, by inserting after the word
- 4 "school", the words "*to acquire land and buildings*
- 5 *and*".

- 6 2. Page 1, line 12, by striking the words "*upon*
- 7 *land owned by such medical school*".

- 8 3. Page 1, line 14, by inserting after the word
- 9 "*which*" the word "*school*".

- 10 4. Page 2, line 27, by inserting before the word
- 11 "*construction*" the words "*acquisition of land and*".

- 12 5. Amend the title on page 1 by striking lines 2,
- 13 3 and 4 and inserting in lieu thereof the following:

- 14 "*the acquisition of land and buildings, and the*
- 15 *remodeling, construction and equipping of a medical*
- 16 *school in counties having a population of over two*
- 17 *hundred thousand.*"

KREAMER of Polk

AMENDMENT TO COMMITTEE ON RULES AMENDMENT
(House Rule 36)

- 1 Amend the Committee on Rules amendment to the
2 Temporary Rules of the House, House Rule 36,
3 as follows:
- 4 1. Line 7, by striking the word "Bills" and
5 inserting in lieu thereof the words "Committee
6 bills".
 - 7 2. Line 8, by striking the word "Senate" and
8 inserting in lieu thereof the word "House".
 - 9 3. Line 9, by striking the word and figure
10 "March 3," and inserting in lieu thereof the
11 word and figures "February 25,".
 - 12 4. In line 9, by striking the words "House
13 committee" and inserting in lieu thereof the
14 word "Senate".

WELDEN of Hardin

On motion by Varley of Adair, the House adjourned until 9:00
a.m., Friday, January 21, 1972.

JOURNAL OF THE HOUSE

Twelfth Calendar Day—Tenth Session Day

HALL OF THE HOUSE OF REPRESENTATIVES
DES MOINES, IOWA, FRIDAY, JANUARY 21, 1972

The House met pursuant to adjournment, Speaker Harbor in the chair.

Prayer was offered by the Reverend Richard Bentzinger, pastor of the St. John's United Methodist Church, Des Moines, Iowa.

The Journal of Thursday, January 20, 1972, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. V. L. Schlaser, Des Moines, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Kreamer of Polk on request of Hansen of Black Hawk; Franklin of Polk on request of Priebe of Kossuth; Bray of Scott on request of Clark of Lee.

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Eighty-five Camp Fire Girls from the fourth, fifth and sixth grades of Manson, Fort Dodge and Coalville, Iowa, accompanied by their leader, Mrs. Krambeck. By Mayberry of Webster.

Five American politics class students from Pleasant Valley High School, Pleasant Valley, Iowa, accompanied by their teacher, Ronald Phillips. By Holden of Scott and Gluba of Scott.

ADOPTION OF COMMITTEE REPORTS

The Chief Clerk announced the adoption of reports of committees on House Files 711 and 726, under Rule 35.

INTRODUCTION OF BILLS

House File 1051, by Kelly, a bill for an act relating to forfeiture of real estate contracts.

Read first time and referred to committee on **judiciary**.

House File 1052, by committee on commerce, a bill for an act relating to the deposit and use of fees collected by the Iowa state commerce commission.

Read first time and placed on the calendar.

House File 1053, by committee on commerce, a bill for an act relating to the rate of interest on public utility refunds to customers.

Read first time and placed on the calendar.

House File 1054, by Kennedy, a bill for an act relating to a proposed highway between interstate highway number eighty and the city of Cedar Rapids.

Read first time and referred to committee on **transportation**.

House File 1055, by Scott, Monroe, Pellett and Wells, a bill for an act relating to the liability of the state and its political subdivisions regarding the use of snowmobiles.

Read first time and referred to committee on **judiciary**.

House File 1056, by Trowbridge, Schwieger, Taylor, Tieden, Johnston, Doyle, Kelly, Shaw, Millen, Kehe, Camp, Priebe, Blouin, Waugh, Small, Hansen, Ellsworth, Larson, Gluba, Monroe, Schwartz, Kennedy, Curtis, McElroy, Franklin, Husak, Rogers, Lawson, Mayberry, Wyckoff, Patton, Jesse, Lipsky, Mollett, Bennett, Stanley, Kinley, Ewell, Wells, Norpel, Edelen, Knoblauch, Knoke, Hill, Anania, Dougherty, Rex, Schmeiser, Radl, Bray, Clark, Logemann, Wirtz, Willits, Cochran and Skinner (Walsh, Griffin, Thordsen, Shawver, Nicholson, Riley, Kennedy, Davis and Doderer), a bill for an act relating to the private sale, control, and distribution of wine containing not more than seventeen percent alcohol by weight, declaring certain acts to be unlawful and prescribing penalties therefor.

Read first time and referred to committee on **law enforcement**.

COMMUNICATION FROM THE CHIEF CLERK

The following report is on file in the office of the Chief Clerk:

REPORT OF THE SUPREME COURT
IN THE MATTER OF THE
RULES OF CIVIL PROCEDURE

To the Second Regular Session of the Sixty-fourth General Assembly of the State of Iowa:

Pursuant to Sections 684.18, 684.19 and 684.21, Code 1971, the Supreme Court of Iowa has prescribed and hereby reports to the General Assembly changes in the existing Rules of Civil Procedure as follows:

Rule 377. Duties and powers of chief judges.

Rule 377, Code 1971, is amended:

1. By inserting after the semi-colon (;) in line eleven (11) a phrase and semi-colon (;) as follows: "they may call meetings of the municipal judges in their district for the purpose of considering mutual problems;"

2. By adding thereto a paragraph as follows:

"The chief judge of a judicial district may appoint from the other judges an assistant or assistants to serve on a judicial district-wide basis and at his pleasure. When so acting, such an assistant shall have those powers and duties given to the chief judge by statute or rule of court which are specified in the order of his appointment. Such appointment shall by general order be made a matter of record in each county in the judicial district."

Respectfully submitted,

THE SUPREME COURT OF IOWA
C. EDWIN MOORE, Chief Justice

Des Moines, Iowa
January 21, 1972

ACKNOWLEDGMENT

I, William R. Kendrick, Chief Clerk of the House of Representatives of the State of Iowa, hereby acknowledge delivery to me on this 21st day of January, 1972 of the foregoing report of the Supreme Court of Iowa pertaining to Rules of Civil Procedure.

WILLIAM R. KENDRICK
Chief Clerk of the House of
Representatives, Second Regular
Session of the Sixty-fourth General
Assembly of the State of Iowa

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File 677, a bill for an act relating to corrective amendments to the statute on self-liquidating improvements.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File 1014, a bill for an act relating to disposition of obsolete instruments in the county recorder's office.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File 334, a bill for an act relating to vending of foods and beverages.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File 1004, a bill for an act relating to the valuation of certain public utilities.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File 1005, a bill for an act relating to the military records of veterans.

Also: That the Senate has adopted the following concurrent resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution 102, urging the President of the United States to call upon the government of the Soviet Union to permit the free exercise of religion by all of its citizens.

CARROLL A. LANE, Secretary

AMENDMENTS TO THE TEMPORARY RULES
OF THE HOUSE ADOPTED
(House Rules 36 and 51)

Varley of Adair called up for consideration the following proposed amendment to House Rule 36, filed by the committee on rules to the temporary rules of the House:

Amend Rule 36 of the Temporary Rules of the House as follows:

1. By striking lines 1 through 4 and inserting in lieu thereof the following:

"Privately sponsored bills originating in the House shall not be reported out of committee after February 18, 1972 unless the bill is an appropriation bill. Bills originating in the Senate shall not be reported out of committee after March 3, 1972. House committee bills and appropriation bills shall not be reported out of committee after March 3, 1972. After March 15, 1972 the House shall only consider bills which have passed the Senate, bills which are the subject of conference committee reports, or procedures which are necessary for adjournment."

2. By striking from the heading the words "on last two days".

Welden of Hardin offered the following amendment to the

committee amendment filed by him and moved its adoption:

Amend the Committee on Rules amendment to the Temporary Rules of the House, House Rule 36, as follows:

1. Line 7, by striking the word "Bills" and inserting in lieu thereof the words "Committee bills".
2. Line 8, by striking the word "Senate" and inserting in lieu thereof the word "House".
3. Line 9, by striking the word and figure "March 3," and inserting in lieu thereof the word and figures "February 25,".
4. In line 9, by striking the words "House committee" and inserting in lieu thereof the word "Senate".

The amendment to the committee amendment was adopted.

Varley of Adair moved the adoption of the committee amendment as amended.

The committee amendment as amended was adopted.

Varley of Adair offered the following amendment to Rule 51 of the temporary rules of the House filed by the committee on rules and moved its adoption:

Amend Rule 51, line 11, by striking the period and inserting in lieu thereof "except by an affirmative vote of not less than fifty-one members of the House."

The amendment was adopted.

CONSIDERATION OF BILLS

REGULAR CALENDAR

House File 472, a bill for an act relating to local boards of health, with report of committee recommending amendment and passage, was taken up for consideration.

Knoke of Pottawattamie offered the following amendment filed by Knoke, Holden and Lawson and moved its adoption:

Amend House File 472 as follows:

1. By striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. Section one hundred thirty-seven point six (137.6), Code 1971, is amended by adding the following new subsections:

6. May hold hearings, subpoena witnesses and take testimony in all matters relating to the exercise and performance of the powers and duties vested in or imposed upon a local board of health.

7. May authorize any employee or peace officer to:

a. Make administrative inspections, in accordance with the procedures set forth in this chapter, for compliance with the state health laws and the rules and regulations of the state and local boards.

b. Make application for and execute administrative search warrants and to serve subpoenas provided for in this chapter.

c. Make seizures of property as provided in this chapter to enforce the state health laws and the rules and regulations of the state and local boards.

d. Issue orders for correction, abatement, removal or destruction of any condition which is necessary for the protection and improvement of the public health.

Sec. 2. Chapter one hundred thirty-seven (137), Code 1971, is amended by adding the following new sections:

1. "ADMINISTRATIVE INSPECTIONS AND WARRANTS—
WARRANTS TO INSPECT. If the owner or occupant of any property refuses admittance thereto, or if prior to such refusal an administrative inspector or peace officer considers it advisable, any authorized administrative inspector or peace officer may make application under oath or affirmation before a district or municipal court judge for the issuance of a search warrant."

2. "APPLICATION. In the application the inspector or peace officer shall state that by a search of certain premises, areas, or things designated in the application he may obtain evidence tending to reveal the existence of violations of the state health laws or rules and regulations of the state department or a local board. The application shall describe the area, premises, or thing to be searched, give the date of the last inspection if known, give the date and time of the proposed inspection, declare the need for such inspection, recite that notice of desire to make an inspection has been given to affected persons and that admission was refused if that be the fact, and state that the inspection has no purpose other than to carry out the purpose of the statute, ordinance, or regulation pursuant to which inspection is made. If the inspector or peace officer seeks to seize any item, it shall be specifically identified in the application."

3. "ISSUANCE. If the judge finds that there is probable cause to believe that there exists a violation of the state health laws or the rules and lawful orders of the state department or the rules and regulations of a local board the judge shall issue such warrant, signed by him with his name of office, directed to an administrative inspector or peace officer commanding him to forthwith search the named

premises, areas, or things for evidence of the violation, and bring any property seized before him.”

4. “EXECUTION. A search warrant may be executed by the administrative inspector or peace officer. Inspectors or peace officers must execute the warrant within ten days of its date; failure to execute within that period shall void the warrant. No persons other than those authorized by this section shall execute search warrants except in aid of those so authorized and on such authorized person’s request, he being present and acting. The warrant shall be executed in the daytime or in the nighttime, as the judge in his discretion may direct. The warrant, when executed, shall be forthwith returned to the issuing judge.”

5. “FORCIBLE EXECUTION. The administrative inspector or peace officer may break into any structure or vehicle where reasonably necessary to execute the warrant if, after notice of his authority and purpose of his admittance, he has not been admitted. The officer may use reasonable force to enter a structure or vehicle to execute a search warrant without notice of his authority and purpose:

1. In the case of vacated or abandoned structures or vehicles.

2. If the issuing judge has inserted a direction in the warrant that the officer executing it shall not be required to give such notice. The judge may so direct only upon proof under oath that there is probable cause to believe that the property sought may be easily and quickly destroyed, or that danger to the life or limb of the inspector or peace officer may result, if such notice were to be given. The officer executing a search warrant may break restraints when necessary for his own liberation or to effect the release of a person who has entered a place to aid him.”

6. “DETENTION AND SEARCH OF PERSONS ON PREMISES.

In the execution of a search warrant the person executing the same may reasonably detain and search any person or thing in the place at the time:

1. To protect himself from attack, or

2. To prevent the disposal or concealment of any property subject to seizure described in the warrant.”

7. “RETURN. The inspector or peace officer shall make his return within a reasonable time by endorsing on the warrant the date and time the property was searched and what, if anything, was found and returning it to the issuing judge.

Within a reasonable period of time the administrative inspector or peace officer shall furnish an itemized receipt for such property to the person from

whom taken or in whose possession it was found, if such person can be located.

The administrative inspector or peace officer must file with his return a complete inventory of the property taken, and state under oath that it is accurate to the best of his knowledge."

8. "EVIDENCE. Property seized in the execution of a search warrant shall be safely kept under the authority of the judge, subject to the orders of any court having jurisdiction to try an offense involved therewith, so long as reasonably necessary to enable its production at trials. Thereafter it shall be disposed of as provided by law."

9. "MALICIOUSLY SUING OUT A WARRANT—INSPECTOR EXCEEDING AUTHORITY. Whoever maliciously and without probable cause procures a search warrant to be issued and executed is guilty of a misdemeanor. Anyone who, in executing a search warrant, willfully exceeds his authority, or exercises it with unnecessary severity, is guilty of a misdemeanor."

10. "VIOLATIONS. Whenever any violation of the state health laws or the rules and lawful orders of the state department or the rules and regulations of a local board or ordinances of cities or towns, or a substance or condition exists that may be injurious to the public health or cause of illness or any nuisance is found, the local board or authorized employee, in addition to other remedies available in this chapter, may order the owner or occupant, or such person who shall have caused or permitted such to correct, abate, remove, or destroy the source of the violation, injury or cause of illness or any nuisance at his own expense. The order shall specify what action is to be taken and the time within which it is to be accomplished, which time shall be reasonable. The order shall be effected by personal service on, or by mailing to, the person to whom the order is directed by certified mail and, where the order concerns a dwelling, by posting a copy of the order in a conspicuous place on the dwelling; provided however, if the order requires the removal or destruction of real property, the order shall be effected by serving the owner and occupants with a copy of the order as prescribed for the service of original notices."

11. "ADMINISTRATIVE HEARINGS. Any person aggrieved by the order may request a hearing before the local board by notifying the chairman of the board in writing. The request must be given before the time set for compliance with the order, and in no event more than fourteen days from the time the order was served upon the aggrieved party. Upon receipt of the request for hearing all actions of the local board and its employees shall be suspended pending the

hearing and determination by the board. Notice of the time and place of hearing shall be given by the chairman in the manner of effecting an order to correct, abate, remove or destroy. The local board on its own motion may hold hearings whenever it believes any violation of the state health laws or the rules and lawful orders of the state department or the rules and regulations of the local board or ordinances of cities or towns has occurred, or a substance or condition exists that may be injurious to the public health or cause of illness or any nuisance. Notice of the hearing shall be given to the alleged violator or violators in the same manner as notice of hearing at the request of an aggrieved party. The alleged violator or violators may appear in person at such hearing or with legal counsel and may make oral arguments, may offer testimony and cross-examine witnesses. The hearing may be conducted in an informal manner and the technical rules of evidence shall not apply. Upon hearing the local board shall in writing affirm, reverse or modify the order of its employee; or in the event no such order was issued, issue its own order; setting forth the time within which the action required is to be taken. In fixing the time in such order or decision and any extension of time, the local board of health shall take into consideration the nature of the failure or defect constituting the violation or condition or probable danger thereof, and the probable length of time and amount of labor required to correct the violation or condition which exists that may be injurious to the public health or cause of illness or any nuisance. The decision or order of the board shall be effected by service of a copy of the decision upon the party affected in the manner of effecting orders to correct, abate, remove or destroy."

12. "NONCOMPLIANCE. If a person fails to comply with the order of the authorized employee if no hearing has been requested, or fails to comply with the decision or order of the board, the local board may in addition to the other remedies provided in the chapter, correct, abate, remove or destroy any property, substance or condition which constitutes the violation or which is injurious to the public health or cause of illness or any nuisance, at the expense of the owner of the property. Any expense shall be assessed upon the property and collected as a special assessment. If the owner has not previously been notified of an order or decision and if the correction, abatement, removal or destruction is to be accomplished at the expense of the owner of the property, the owner shall be given notice of the order or decision in the manner of effecting orders to correct, abate, remove or destroy at least fourteen days prior to correction, abatement, removal or

destruction. The owner shall have the right to request a hearing before the local board as provided for a person aggrieved by an order of the local board or authorized employee. Provided before the local board of health removes or destroys real property, application shall be made by the county attorney for a county board of health, the city attorney for a city board of health, or other attorney designated by the board, upon request by the board, to a court having jurisdiction for an order authorizing removal or destruction of the dwelling. Such proceeding shall be in equity. An order may be granted ex parte at the discretion of the court in cases of emergency."

13. "EMERGENCIES. If the local board determines that an emergency exists which requires immediate action to protect the public health, the board may apply for injunctive relief to any court having jurisdiction, which injunctive relief may be granted by the court without notice and ex parte."

Sec. 3. Section one hundred thirty-seven point twenty-one (137.21), Code 1971, is amended by adding the following:

"In addition to or in lieu of a criminal penalty, any person who violates any provision of this chapter or the rules and regulations of a local board or any lawful order or notice of said board, its officers, or authorized agents may be temporarily or permanently enjoined therefrom by any court having jurisdiction."

The amendment was adopted.

Holden of Scott asked and received unanimous consent to withdraw the amendment filed by the committee on social services on April 21, 1971, and found on pages 1020 through 1023 of the House Journal.

Andersen of Woodbury asked and received unanimous consent to withdraw the amendment filed by him on January 19, 1972, and found on page 94 of the House Journal.

Lawson of Cerro Gordo moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 472)

The ayes were, 59:

Alt	Curtis	Freeman	Kelly
Andersen	Den Herder	Gluba	Knoblauch
Bergman	Drake	Hamilton	Knoke
Campbell	Edelen	Hansen	Kruse
Clark	Egenes	Holden	Lawson
Cochran	Ellsworth	Kehe	Lipsky

Logemann	Nielsen	Schwartz	Strothman
McCormick	Norpel	Scott	Taylor
McElroy	Nystrom	Shaw	Tieden
Mendenhall	Pellett	Siglin	Trowbridge
Menefee	Pierson	Sorg	Varley
Middleswart	Rodgers	Stanley	Waugh
Miller	Roorda	Stokes	Welden
Moffitt	Sargisson	Strand	Winkelman
Mollett	Schroeder	Stromer	

The nays were, 29:

Anania	Grassley	Monroe	Small
Bennett	Hill	Patton	Uban
Blouin	Husak	Priebe	Wells
Christensen	Jesse	Radl	Willits
Dougherty	Kinley	Rex	Wirtz
Doyle	Larson	Schmeiser	Wyckoff
Dunton	Mayberry	Schwieger	Mr. Speaker

Absent or not voting, 12:

Bray	Fisher, C. R.	Johnston	Millen
Camp	Franklin	Kennedy	Pelton
Ewell	Goode	Kreamer	Skinner

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

House File 597, a bill for an act relating to the management of state records, with report of committee recommending amendment and passage, was taken up for consideration.

Rex of Hamilton offered the following amendment filed by the committee on state government and moved its adoption:

Amend House File 597, page 3, line 8, by striking the word "may" and inserting in lieu thereof the word "*shall*".

The amendment was adopted.

Rex of Hamilton offered the following amendment filed by Rex and Welden and moved its adoption:

Amend House File 597, page 2, by inserting after line 28 the following:

"7. The director of general services."

The amendment was adopted.

Welden of Hardin moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 597)

The ayes were, 85:

Alt	Bennett	Campbell	Cochran
Anania	Bergman	Christensen	Curtis
Andersen	Blouin	Clark	Den Herder

Dougherty	Kelly	Norpel	Small
Doyle	Kinley	Nystrom	Stanley
Drake	Knoke	Patton	Stokes
Dunton	Kruse	Pellett	Strand
Edelen	Larson	Pierson	Stromer
Egenes	Lawson	Priebe	Strothman
Ellsworth	Lipsky	Radl	Taylor
Ewell	Logemann	Rex	Tieden
Fischer, H. O.	McCormick	Rodgers	Trowbridge
Freeman	McElroy	Roorda	Uban
Gluba	Mendenhall	Sargisson	Varley
Grassley	Menefee	Schmeiser	Waugh
Hamilton	Middleswart	Schroeder	Welden
Hansen	Miller	Schwartz	Wells
Hill	Moffitt	Schwieger	Willits
Holden	Mollett	Scott	Winkelman
Husak	Monroe	Shaw	Wyckoff
Jesse	Nielsen	Siglin	Mr. Speaker
Kehe			

The nays were, none.

Absent or not voting, 15:

Bray	Goode	Kreamer	Skinner
Camp	Johnston	Mayberry	Sorg
Fisher, C. R.	Kennedy	Millen	Wirtz
Franklin	Knoblauch	Pelton	

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

House File 1006, a bill for an act relating to the breaking and entering of vending machines, and providing a penalty, with report of committee recommending passage, was taken up for consideration.

Doyle of Woodbury moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1006)

The ayes were, 72:

Alt	Egenes	Kruse	Nystrom
Anania	Ellsworth	Lawson	Patton
Andersen	Ewell	Logemann	Pellett
Bennett	Fischer, H. O.	Mayberry	Pierson
Bergman	Freeman	McCormick	Priebe
Christensen	Gluba	McElroy	Rex
Cochran	Grassley	Mendenhall	Rodgers
Curtis	Hamilton	Menefee	Roorda
Den Herder	Holden	Middleswart	Sargisson
Dougherty	Husak	Miller	Schroeder
Doyle	Kehe	Moffitt	Schwartz
Drake	Kelly	Mollett	Scott
Dunton	Kinley	Nielsen	Shaw
Edelen	Knoblauch	Norpel	Siglin

Sorg	Strothman	Uban	Wells
Stanley	Taylor	Varley	Winkelman
Stokes	Tieden	Waugh	Wyckoff
Strand	Trowbridge	Welden	Mr. Speaker

The nays were, 16:

Blouin	Hill	Lipsky	Small
Campbell	Jesse	Monroe	Stromer
Clark	Knoke	Schmeiser	Willits
Hansen	Larson	Schwieger	Wirtz

Absent or not voting, 12:

Bray	Franklin	Kennedy	Pelton
Camp	Goode	Kreamer	Radl
Fisher, C. R.	Johnston	Millen	Skinner

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

HOUSE FILE 1036 DEFERRED

House File 1036, a bill for an act requiring the posting of a bond in conjunction with a petition to establish a private sanitary district, and the funding of preliminary expenses of such district, was taken up for consideration.

Rex of Hamilton offered the following amendment filed by him and moved its adoption:

Amend House File 1036, page 2, line 5, by striking the word "conditioned" and inserting in lieu thereof the word "sufficient".

The amendment was adopted.

Rex of Hamilton asked and received unanimous consent that **House File 1036** be deferred and that the bill retain its place on the calendar.

CONSIDERATION OF BILLS**REGULAR CALENDAR**

House File 1037, a bill for an act relating to antitrust fees for prosecutors, was taken up for consideration.

Hill of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1037)

The ayes were, 87:

Alt	Grassley	Miller	Siglin
Anania	Hamilton	Moffitt	Small
Andersen	Hansen	Mollett	Sorg
Bennett	Hill	Monroe	Stanley
Blouin	Holden	Nielsen	Stokes
Campbell	Husak	Norpel	Strand
Christensen	Jesse	Nystrom	Stromer
Clark	Kelly	Patton	Strothman
Cochran	Kinley	Pellett	Taylor
Curtis	Knoblauch	Pierson	Tieden
Den Herder	Knoke	Priebe	Trowbridge
Dougherty	Kruse	Radl	Uban
Doyle	Larson	Rex	Varley
Drake	Lawson	Rodgers	Waugh
Dunton	Lipsky	Roorda	Welden
Edelen	Logemann	Sargisson	Wells
Egenes	Mayberry	Schmeiser	Willits
Ellsworth	McCormick	Schroeder	Winkelman
Ewell	McElroy	Schwartz	Wirtz
Fischer, H. O.	Mendenhall	Schwieger	Wyckoff
Freeman	Menefee	Scott	Mr. Speaker
Gluba	Middleswart	Shaw	

The nays were, none.

Absent or not voting, 13:

Bergman	Franklin	Kehe	Millen
Bray	Goode	Kennedy	Pelton
Camp	Johnston	Kreamer	Skinner
Fisher, C. R.			

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

House File 1044, a bill for an act authorizing counties to acquire private property by condemnation for sanitary landfill purposes was taken up for consideration.

Kruse of O'Brien moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1044)

The ayes were, 44:

Alt	Hamilton	Menefee	Shaw
Andersen	Hansen	Miller	Small
Bergman	Hill	Mollett	Sorg
Blouin	Kelly	Norpel	Stanley
Cochran	Knoblauch	Nystrom	Strand
Den Herder	Knoke	Rex	Tieden
Drake	Kruse	Roorda	Varley
Egenes	Lawson	Schmeiser	Welden
Ellsworth	Mayberry	Schroeder	Wells
Freeman	McElroy	Schwartz	Willits
Gluba	Mendenhall	Schwieger	Mr. Speaker

The nays were, 39:

Anania	Grassley	Monroe	Siglin
Bennett	Holden	Nielsen	Stokes
Campbell	Husak	Patton	Stromer
Christensen	Kehe	Pellett	Strothman
Clark	Larson	Pierson	Taylor
Curtis	Lipsky	Priebe	Trowbridge
Dougherty	Logemann	Radl	Winkelman
Doyle	McCormick	Rodgers	Wirtz
Dunton	Middleswart	Sargisson	Wyckoff
Fischer, H. O.	Moffitt	Scott	

Absent or not voting, 17:

Bray	Franklin	Kennedy	Pelton
Camp	Goode	Kinley	Skinner
Edelen	Jesse	Kreamer	Uban
Ewell	Johnston	Millen	Waugh
Fisher, C. R.			

The bill having failed to receive a constitutional majority was declared to have failed to pass the House.

MOTION TO RECONSIDER

(House File 472)

I move to reconsider the vote by which House File 472 passed the House on January 21, 1972.

HANSEN of Black Hawk

MOTION TO RECONSIDER

(House File 472)

I move to reconsider the vote by which House File 472 passed the House on January 21, 1972.

COCHRAN of Webster

MOTION TO RECONSIDER

(House File 1044)

I move to reconsider the vote by which House File 1044 failed to pass the House on January 21, 1972.

CURTIS of Cherokee

REPORT OF COMMITTEE

Kehe of Bremer, from the committee on environmental preservation, submitted the following report:

MR. SPEAKER: Your committee on environmental preservation, to whom was referred **Senate File 85**, a bill for an act creating a department of environmental quality, specifying its powers, duties and functions, and providing penalties for violations thereof, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same **be amended as follows, and when so amended the bill do pass:**

Amend Senate File 85, as amended and passed by the Senate and reprinted, as follows:

1. Page 2A, by striking line 33 and inserting in lieu thereof the following:

"with public agencies of this state to provide all lab-".

2. Page 2B, line 36, by inserting after the period the following new sentence:

"If the executive director finds that public agencies of this state cannot provide the laboratory, scientific field measurement and environmental evaluation services required by the department, he may contract, with the approval of the executive committee, with any other public or private persons or agencies for such services."

3. Page 3A, by striking lines 22 through 35, inclusive, and inserting in lieu thereof the following: "programs and services assigned to it.

Each commission shall have seven members appointed by the governor with consent of two-thirds of the senate. Three of the appointees shall be selected on the basis of their knowledge and experience as active participants in private enterprise in the resource area to be protected by, or in the problems of preventing, controlling, or abating the type of pollution under the jurisdiction of, the commission to which they are being appointed. The remaining four members of each commission shall be electors of this state. No person shall be appointed to any of the commissions if he is a full-time public employee. The members of each commission shall be appointed for terms of four years, except that three members, designated by the governor, of each initial commission shall be appointed for two-year terms. No member shall be appointed to serve more than two complete four-year terms."

4. By striking all of page 3B and on page 4, by striking lines 1 through 30, inclusive, and inserting in lieu thereof the following:

"Any commission member may be removed by the governor for cause. The term of office of each member of the commissions shall commence on the first day of July of the year of the appointment. Vacancies occurring during a term of office shall be filled by appointment for the balance of the unexpired term subject to confirmation by two-thirds of the senate."

5. Page 5, line 4, by striking the word "thirty" and inserting in lieu thereof the word "forty".

6. Page 5, line 27, by inserting before the word "and" the words "commissioner of public health, the dean of college of agriculture, Iowa state university of science and technology,".

7. Page 10, by striking lines 22 through 26, inclusive, and inserting in lieu thereof the following:

"rule and regulation, the owner or operator of any air contaminant source to establish and maintain such records, make such reports, install, use and maintain such monitoring equipment or methods, sample such emissions in accordance with such methods at such locations and intervals, and using such procedures as the commission shall prescribe, and provide such other information as the commission may reasonably require. Such classifications may be for application to".

8. Page 20, line 9, by striking the word and number "July, 1971" and inserting in lieu thereof the word and number "January, 1973".

9. Page 22A, by striking lines 6 through 13, inclusive.

10. Page 23A, by striking lines 14 through 20, inclusive.

11. Page 28, line 19, by striking the word "unlawful" and inserting in lieu thereof the word "lawful".

12. Page 30A, by inserting after line 10 the following new section:

"Sec. 50. In all proceedings with respect to any alleged violation of the provisions of sections thirty-one (31) through fifty (50) of this Act or any rule or regulation established by the commission or the department, the burden of proof shall be upon the commission or the department except in an action for contempt as provided in section forty-five (45) of this Act."

13. Page 31B, line 41, by striking the number "1971" and inserting in lieu thereof the number "1972".

14. Page 45, by striking lines 15 through 18, inclusive.

15. Page 45, line 21, by striking the word and number "eighty-seven (87)" and inserting in lieu thereof the word and number "eighty-nine (89)".

16. Page 45, by striking lines 30 through 34, inclusive, and inserting in lieu thereof the following subsection:

"2. 'Consumer chemical' means a pesticide as defined in subsection three (3) of this section, any feed or soil additive, other than a pesticide, which is designed for and used to promote the growth of plants or animals, detergents as defined in subsection five (5) of this section, and petroleum products."

17. Page 46, by striking lines 16 through 35, inclusive, and inserting in lieu thereof the following subsection:

"5. 'Detergent' means a cleaning compound composed of organic and inorganic components, including surface active agents, soaps, water softening agents, builders, dispersing agents, corrosion inhibitors, foaming agents,

buffering agents, brighteners, fabric softeners, dyes, perfumes, enzymes, and fillers, which are available for household, personal, laundry, industrial, and other uses in liquid, bar, spray, tablet, flake, powder, or other forms."

18. By striking pages 47 through 61, inclusive, and inserting in lieu thereof the following new sections:

"Sec. 92. The commission shall collect, analyze, and interpret information relating to consumer chemicals and their use. The commission shall coordinate the regulation and information responsibilities of state agencies on matters relating to the sale and use of consumer chemicals. It shall adopt rules relating to the sale, use and disuse of consumer chemicals and may, by rule, restrict or prohibit the sale, distribution, or use of any consumer chemical. In determining whether to restrict or prohibit the sale, distribution, or use of any consumer chemical, the board shall consider any official reports, academic studies, expert opinions or testimony, or other matter deemed to have probative value. Any such evidence shall be received at a public hearing held for such purpose.

The commission shall consider the toxicity, hazard, effectiveness and public need for the consumer chemicals, and the availability of less toxic or less hazardous consumer chemicals and substances or other means of control."

"Sec. 93. An advisory committee to the commission is created. The advisory committee shall consist of the following:

1. The dean, college of veterinary medicine, Iowa state university of science and technology, or his designee;
2. The dean, college of medicine, state university of Iowa, or his designee;
3. An entomologist, botanist, geneticist, horticulturist, and an agronomist appointed by the dean, college of agriculture, Iowa state university of science and technology;
4. Two ecologists, one appointed by the president, Iowa state university of science and technology, and one appointed by the president, university of Iowa.

Appointive members of the advisory committee shall serve terms of four years. The advisory committee shall assist the commission in obtaining scientific data and coordinating agricultural chemical regulatory, enforcement, research, and educational functions of the state. The advisory committee shall recommend rules regarding the sale, use, or disuse of consumer chemicals to the commission.

The advisory committee shall adopt rules relating to its organizational structure, procedures, and meetings under the general supervision of the commission.

The members of the advisory committee shall be reimbursed for all actual and necessary expenses incurred by them in the discharge of their official duties."

"Sec. 94. The commission shall, by rule and regulation, after a public hearing following due notice:

1. Declare as a pest any form of plant or animal life or virus which is unduly injurious to plants, man, domestic animals, articles, or substances.
2. Specify the conditions under which containers of pesticides may be transported, stored, or disposed.
3. Determine the proper use of pesticides, including their formulations, and the times and methods of application and other conditions of use.
4. Require that all veterinarians licensed and practicing veterinary medicine in the state promptly report any case of domestic livestock poisoning or suspected poisoning to the executive director and the veterinary medical diagnostic laboratory at Iowa state university of science and technology."

"Sec. 95. The rules and regulations promulgated by the commission shall be subject to the provisions of chapter seventeen A (17A) of the Code and section seven (7), subsection four (4) of this Act."

"Sec. 96. The attorney general shall institute, at the request of the executive director, legal action to condemn any consumer chemical sold, offered for sale, used, transported, or stored in this state in violation of sections ninety-one (91) through ninety-five (95) of this Act or any rules and regulations adopted by the commission under sections ninety-one (91) through ninety-five (95) of this Act."

"Sec. 97. Any person violating the provisions of sections ninety-one (91) through ninety-five (95) of this Act or the rules or regulations adopted by the commission under sections ninety-one (91) through ninety-five (95) of this Act is guilty of a misdemeanor."

19. Page 64, line 5, by inserting before the word "and" the words and numbers "section two hundred six point three (206.3), subsection two (2), paragraph "d", section two hundred six point six (206.6), subsection one (1)".

20. Page 64, line 7, by striking the words and figure "two hundred six (206)".

21. Page 64, by striking lines 11, 12, and 13 and inserting in lieu thereof the following:

"Sec. 104. The effective date of this Act shall be the first of January, 1973, except that the governor may, prior to the first of January, 1973, by executive order, appoint the necessary commission".

22. Page 64, by striking from lines 15 and 16, the words "authorize the executive committee to appoint the executive director".

23. Page 64, lines 20 and 21, by striking the word and number "July, 1971" and inserting in lieu thereof the word and number "January, 1973".

24. Page 64, line 23, by striking the word and number "July, 1971" and inserting in lieu thereof the word and number "January, 1973".

25. Page 64, line 31, by striking the word and number "July, 1971" and inserting in lieu thereof the word and number "January, 1973".

26. By renumbering sections and subsections and internal references to sections and subsections to conform to this amendment.

KEHE of Bremer, Chairman

AMENDMENTS FILED

- 1 Amend the Knoke, et al., amendment to House File
- 2 472 by striking lines 86 through 96 and inserting in
- 3 lieu thereof the following:
- 4 "of his authority and purpose in the case of
- 5 vacated or abandoned structures or vehicles. The"

HANSEN of Black Hawk

- 1 Amend House File 711, page 7, by striking all of
- 2 lines 5 through 10 inclusive, and by renumbering the
- 3 following subsections.

UBAN of Black Hawk

On motion by Varley of Adair, the House adjourned until 10:00 a.m., Monday, January 24, 1972.

JOURNAL OF THE HOUSE

Fifteenth Calendar Day—Eleventh Session Day

HALL OF THE HOUSE OF REPRESENTATIVES
DES MOINES, IOWA, MONDAY, JANUARY 24, 1972

The House met pursuant to adjournment, Speaker Harbor in the chair.

The following prayer was offered by Most Reverend Maurice J. Dingman, Bishop of the Catholic Diocese, St. Ambrose Rectory, Des Moines, Iowa. This prayer is taken from a letter written by Pope John XXII nine years ago on the subject of Peace:

"There is an immense task incumbent on all men of good will, namely, the task of restoring the relations of the human family in truth, in justice, in love and in freedom: the relations between individual human beings; between citizens and their respective political communities; between political communities themselves; between individuals, families, intermediate associations and political communities on the one hand, and the world community on the other. This is a most exalted task, for it is the task of bringing about true peace in the order established by God. . . . Our Lord Jesus Christ, after his resurrection, stood in the midst of His disciples and said "Peace be to you," This is the peace which we implore of Him with the ardent yearning of our prayer. May He banish from the hearts of men whatever might endanger peace, may He transform them into witnesses of truth, justice and brotherly love. May He enlighten the rulers of people so that in addition to their solicitude for the proper welfare of their citizens, they may guarantee and defend the great gift of peace. Finally, may Christ enkindle the wills of all, so that they may overcome the barriers that divide, cherish the bonds of mutual charity, understand others, and pardon those who have done them wrong. By virtue of His action, may all peoples of the earth become as brothers, and may the most longed-for peace blossom forth and reign always between them." Amen.

The Journal of Friday, January 21, 1972, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Fred Loomis, Waterloo, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Radl of Linn and Sorg of Linn on request of Christensen of Union; Uban of Black Hawk on request of Egenes of Story; Campbell of Washington on request of Pierson of Mahaska; Norpel of Jackson on request of Cochran of Webster; Camp of Clinton for January 24 and 25 on request of Tieden of Clayton; Millen of Van Buren for January 24 and 25 on request of Clark of Lee.

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Twenty seventh and eighth grade Girl Scouts from Troop 291, Urbandale Junior High, Urbandale, Iowa, accompanied by their leaders, Mrs. L. Couch and Mrs. T. Lewis. By Willits of Polk.

PETITIONS FILED

The following petitions were received and placed on file:

By Edelen of Emmet, from twenty-one residents of Emmet County favoring a substantial raise for Emmet County employees.

By Kinley of Polk, a resolution from the Polk County Board of Supervisors favoring an amendment to House File 734, relating to junk yards along interstate, federal and primary highways.

ADOPTION OF COMMITTEE REPORT

The Chief Clerk announced the adoption of report of committee on Senate File 85, under Rule 35.

INTRODUCTION OF BILLS

House File 1057, by committee on law enforcement, a bill for an act relating to the use of snowmobiles on railroad rights-of-way.

Read first time and placed on the calendar.

House File 1058, by Stokes, Dougherty, Strand, Dunton, Trowbridge, Menefee, Doyle, Mendenhall, Husak, Grassley, McCormick, Norpel, Curtis, McElroy and Andersen (Van Gilst, Riley, Rhodes, Gaudineer, Palmer, Briles, Neu, Walsh, Kennedy, Tapscott, Glenn, Gross, Schaben and Carlson), a bill for an act relating to identification cards for persons sixty years of age or older.

Read first time and referred to committee on judiciary.

House File 1059, by Schroeder, Shaw, Knoke and Pelton, a bill for an act relating to the use of self-service filling stations.

Read first time and referred to committee on commerce.

House File 1060, by Kinley, a bill for an act related to the labeling of eggs and providing a penalty.

Read first time and referred to committee on **agriculture**.

House File 1061, by Nystrom, a bill for an act for the use of state buildings by state employee organizations.

Read first time and referred to committee on **state government**.

House File 1062, by Priebe, a bill for an act relating to the use of weed seed in commercial feed.

Read first time and referred to committee on **agriculture**.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File 1015, a bill for an act relating to expert witness fees.

CARROLL A. LANE, Secretary

SENATE MESSAGES CONSIDERED

Senate File 334, a bill for an act relating to the vending of foods and beverages and providing a penalty.

Read first time and referred to committee on **agriculture**.

Senate File 1004, a bill for an act relating to the valuation of certain public utilities.

Read first time and referred to committee on **county government**.

Senate File 1005, a bill for an act relating to the military records of veterans.

Read first time and referred to committee on **county government**.

CONSIDERATION OF BILLS

REGULAR CALENDAR

The House resumed consideration of **House File 1036**, a bill for an act requiring the posting of a bond in conjunction with a petition to establish a private sanitary district, and the funding of preliminary expenses of such district.

Bergman of Osceola moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1036)

The ayes were, 72:

Alt	Ellsworth	McElroy	Schwieger
Anania	Fischer, H. O.	Mendenhall	Scott
Andersen	Fisher, C. R.	Menefee	Siglin
Bennett	Freeman	Middleswart	Stanley
Bergman	Grassley	Miller	Stokes
Blouin	Hamilton	Moffitt	Strand
Bray	Hill	Mollett	Stromer
Christensen	Holden	Monroe	Strothman
Clark	Husak	Nystrom	Taylor
Cochran	Jesse	Pellet	Tieden
Curtis	Knoke	Pelton	Trowbridge
Den Herder	Kreamer	Pierson	Varley
Dougherty	Kruse	Priebe	Waugh
Doyle	Larson	Rex	Welden
Drake	Lawson	Rodgers	Willits
Dunton	Lipsky	Schmeiser	Winkelman
Edelen	Logemann	Schroeder	Wyckoff
Egenes	McCormick	Schwartz	Mr. Speaker

The nays were, none.

Absent or not voting, 28:

Camp	Johnston	Millen	Shaw
Campbell	Kehe	Nielsen	Skinner
Ewell	Kelly	Norpel	Small
Franklin	Kennedy	Patton	Sorg
Gluba	Kinley	Radl	Uban
Goode	Knoblauch	Roorda	Wells
Hansen	Mayberry	Sargisson	Wirtz

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

House File 1052, a bill for an act relating to the deposit and use of fees collected by the Iowa state commerce commission, was taken up for consideration.

Curtis of Cherokee moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1052)

The ayes were, 75:

Alt	Den Herder	Grassley	Lawson
Anania	Dougherty	Hamilton	Lipsky
Andersen	Doyle	Hill	Logemann
Bennett	Drake	Holden	McCormick
Bergman	Dunton	Husak	McElroy
Blouin	Edelen	Jesse	Mendenhall
Bray	Egenes	Knoblauch	Menefee
Christensen	Ellsworth	Knoke	Middleswart
Clark	Fischer, H. O.	Kreamer	Miller
Cochran	Fisher, C. R.	Kruse	Moffitt
Curtis	Freeman	Larson	Mollett

Monroe	Roorda	Stanley	Varley
Nystrom	Schmeiser	Stokes	Waugh
Pellett	Schroeder	Strand	Welden
Pelton	Schwartz	Stromer	Willits
Pierson	Schwieger	Strothman	Winkelman
Priebe	Scott	Taylor	Wyckoff
Rex	Siglin	Tieden	Mr. Speaker
Rodgers	Skinner	Trowbridge	

The nays were, none.

Absent or not voting, 25:

Camp	Johnston	Millen	Shaw
Campbell	Kehe	Nielsen	Small
Ewell	Kelly	Norpel	Sorg
Franklin	Kennedy	Patton	Uban
Gluba	Kinley	Radl	Wells
Goode	Mayberry	Sargisson	Wirtz
Hansen			

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

SPECIAL ORDER

(Senate File 85)

Varley of Adair asked and received unanimous consent that Senate File 85 be made a special order of business for 9:15 a.m. Thursday, January 27, 1972.

AMENDMENTS FILED

- 1 Amend Senate File 85, as amended and passed by the
- 2 Senate and reprinted, as follows:
- 3 1. Page 3A, by striking lines 18 through 23, inclu-
- 4 sive, and inserting in lieu thereof the following:
- 5 "Sec. 4. There is created within the department
- 6 the air quality commission, the water quality commission,
- 7 the chemical technology commission, the solid waste
- 8 disposal commission, the recreation and wildlife
- 9 commission, the soil conservation commission, and the
- 10 natural resources commission. Each commission shall
- 11 establish policy for the programs and services assigned
- 12 to it. The membership of the commissions shall be as
- 13 follows:"
- 14 2. Page 3A, by striking lines 27 through 34, in-
- 15 clusive, and inserting in lieu thereof the following:
- 16 "four members shall be the appointed members who
- 17 served on the Iowa air pollution control commission
- 18 abolished by this Act, whose terms expired on the thir-
- 19 tieth of June, 1973, and the terms of such four members
- 20 shall expire on the thirtieth of June, 1973. The re-
- 21 maining three members shall be selected by the governor
- 22 from among the four appointed members of the Iowa air
- 23 pollution control commission abolished by this Act,
- 24 whose terms expire on the thirtieth of June, 1975, and

25 the terms of the three members selected by the governor
26 shall expire on the thirtieth of June, 1975. No member
27 shall be appointed to serve more than two complete four-
28 year terms."

29 3. Page 3B, by striking lines 38 through 48, inclu-
30 sive, and inserting in lieu thereof the following:

31 "membership, six members shall be the appointed mem-
32 bers who served on the Iowa water pollution control
33 commission abolished by this Act. The terms of the
34 two appointed members scheduled to expire on the first
35 of July, 1973, shall expire on the thirtieth of June,
36 1973; the terms of the three appointed members scheduled
37 to expire on the first of July, 1975, shall expire on
38 the thirtieth of June, 1975; and the term of the
39 appointed member scheduled to expire on the first of
40 July, 1977, shall expire on the thirtieth of June, 1975.
41 The remaining commission member shall be appointed by
42 the governor with the consent of two-thirds of the
43 senate for a one-year term. No member shall be appointed
44 to serve more than two complete four-year terms."

45 4. Page 4, line 6, by inserting after the number
46 "1974" the following:

47 "and the terms of the two members shall expire
48 on the thirtieth of June, 1974".

49 5. Page 4, line 11, by striking the word "three"
50 and inserting in lieu thereof the word "two".

51 6. Page 4, line 12, by inserting after the word
52 "complete" the word "four-year".

53 7. Page 4, line 18, by inserting after the word
54 "complete" the word "four-year".

55 8. Page 4, by inserting after line 18 the following
56 new subsections:

57 "5. The recreation and wildlife commission shall
58 have seven members appointed by the governor with the
59 consent of two-thirds of the senate, except that of
60 the initial commission, two members shall be the ap-
61 pointed members who served on the state conservation
62 commission abolished by this Act, whose terms expire
63 on the thirtieth of June, 1973, and the terms of such
64 two members shall expire on the thirtieth of June, 1973.
65 Three additional members shall be the appointed members
66 who served on the state conservation commission abolished
67 by this Act, whose terms expire on the thirtieth of
68 June, 1975, and the terms of such three members shall
69 expire on the thirtieth of June, 1975. The remaining
70 two members shall be the appointed members who served
71 on the state conservation commission abolished by this
72 Act, whose terms expire on the thirtieth of June, 1977,
73 and the terms of such two members shall expire on the
74 thirtieth of June, 1977. No member shall be appointed
75 to serve more than two complete four-year terms.

76 6. The soil conservation commission shall have seven
77 members appointed by the governor with the consent of
78 two-thirds of the senate, except that of the initial
79 commission, two members shall be the appointed members

80 who served on the state soil conservation committee
81 abolished by this Act, whose terms expire on the thir-
82 tieth of June, 1973, and the terms of such two members
83 shall expire on the thirtieth of June, 1973. Three
84 additional members shall be the appointed members who
85 served on the state soil conservation committee abolished
86 by this Act, whose terms expire on the thirtieth of
87 June, 1975, and the terms of such three members shall
88 expire on the thirtieth of June, 1975. The remaining
89 two members shall be the appointed members who served
90 on the state soil conservation committee abolished by
91 this Act, whose terms expire on the thirtieth of June,
92 1977, and the terms of such two members shall expire
93 on the thirtieth of June, 1977. No member shall be
94 appointed to serve more than two complete four-year
95 terms.

96 7. The natural resources commission shall have seven
97 members appointed by the governor with the consent of
98 two-thirds of the senate, except that of the initial
99 commission, one member designated by the governor shall
100 be an appointed member who served on the Iowa natural
101 resources council abolished by this Act, whose term
102 expires on the thirtieth of June, 1973, and the term
103 of such member shall expire on the thirtieth of June,
104 1973. Three additional members shall be the appointed
105 members who served on the Iowa natural resources council
106 abolished by this Act, whose terms expire on the
107 thirtieth of June, 1975, and the terms of such three
108 members shall expire on the thirtieth of June, 1975.
109 The remaining three members shall be the appointed
110 members who served on the Iowa natural resources council
111 abolished by this Act, whose terms expire on the
112 thirtieth of June, 1977, and the terms of such three
113 members shall expire on the thirtieth of June, 1977.
114 No member shall be appointed to serve more than two
115 complete four-year terms."

116 9. Page 5, line 4, by striking the word "thirty"
117 and inserting in lieu thereof the word "forty".

118 10. Page 5, by striking lines 24 through 34, inclu-
119 sive, and inserting in lieu thereof the following:

120 "Sec. 6. The executive committee of the department
121 shall consist of the chairmen of the seven commissions
122 within the department. The commissioner of public
123 health shall be an ex officio, nonvoting member of the
124 executive committee. The executive committee shall
125 organize annually during the month of July and select
126 a chairman and vice chairman. The executive director
127 shall act as the secretary of the executive committee.
128 Meetings shall be called by the chairman or upon written
129 request of any four voting members."

130 11. Page 61, by inserting after line 21 the following
131 new sections:

132 "Sec. 103. Sections two hundred point two (200.2),
133 two hundred point three (200.3), two hundred point four
134 (200.4), two hundred point five (200.5), two hundred

135 point eight (200.8), two hundred point nine (200.9),
136 two hundred point ten (200.10), two hundred point
137 thirteen (200.13), two hundred point four (200.14),
138 two hundred point fifteen (200.15), two hundred point
139 sixteen (200.16), and two hundred point eighteen
140 (200.18), Code 1971, are amended by striking from such
141 sections the words 'secretary' or 'secretary of
142 agriculture' and inserting in lieu thereof the words
143 'director of the department of environmental quality'.
144 Sec. 104. Section two hundred point nine (200.9),
145 Code 1971, is amended to read as follows:
146 200.9 FERTILIZER FUND. Fees collected for licenses
147 and inspection fees under sections 200.4 and 200.8 shall
148 be deposited in the treasury to the credit of the fer-
149 tilizer fund to be used only by the department of
150 [agriculture] *environmental quality* for the purpose of
151 inspection, sampling, analysis, preparation and
152 publishing of reports and other expenses necessary for
153 administration of this chapter. The [secretary] *director*
154 *of the department of environmental quality* may assign
155 moneys to the Iowa agricultural experimental station for
156 research, work projects, investigations as may be needed
157 for the specific purpose of improving the regulatory
158 functions for enforcement of this chapter."
159 12. Page 62, line 1, by striking the number "103"
160 and inserting in lieu thereof the number "105".
161 13. Page 62, line 3, by striking the word and num-
162 ber "two (102)" and inserting in lieu thereof the word
163 and number "four (104)".
164 14. Page 62, line 7, by striking the number "104"
165 and inserting in lieu thereof the number "106".
166 15. Page 62, line 15, by striking the word and num-
167 ber "three (103)" and inserting in lieu thereof the
168 word and number "five (105)".
169 16. Page 62, by striking lines 16 to 34, inclusive,
170 all of page 63, and on page 64, lines 1 and 2, and in-
171 serting in lieu thereof the following new sections:
172 "Sec. 107. When used in the Code, the words 'state
173 conservation commission' or 'conservation commission'
174 shall mean 'recreation and wildlife commission of the
175 department of environmental quality' and the words
176 'conservation director' or 'state conservation director'
177 shall mean 'executive director of the department of
178 environmental quality'. When publishing the Code of
179 Iowa, the Code editor is instructed to substitute the
180 words 'recreation and wildlife commission of the de-
181 partment of environmental quality' for the words 'state
182 conservation commission' or 'conservation commission'
183 and the words 'executive director of the department
184 of environmental quality' for the words 'conservation
185 director' or 'state conservation director' wherever
186 found in the Code.
187 Sec. 108. Section one hundred nine point one (109.1),
188 subsection twelve (12), Code 1971, is amended to read
189 as follows:

190 12. "Director": The term "director" shall mean
191 the regularly appointed director of the [state
192 conservation commission] *department of environmental*
193 *quality* and wherever such director is authorized or
194 required to do an act, unless otherwise provided, it
195 shall be construed as authorizing performance by a
196 regular assistant or duly authorized agent of such
197 director.

198 Sec. 109. Section one hundred eleven point twenty-
199 six (111.26), Code 1971, is amended to read as follows:

200 111.26 SPECIAL POLICE. The commission in carrying
201 out its duties may appoint the [state conservation]
202 director of the *department*[. Chief of division of lands
203 and waters, chief of division of fish and game], and
204 such other supervisory personnel of the [commission] *de-*
205 *partment* as necessary to act as special police to carry
206 out the law enforcement program of the [conservation]
207 commission. Such officers are hereby vested with the
208 powers and charged with the duties of peace officers
209 while in the performance of their official duties.

210 Sec. 110. Section one hundred eleven B point three
211 (111B.3), Code 1971, is amended to read as follows:

212 111B.3 MEMBERSHIP. The board shall be composed
213 of seven members, six of which shall be appointed by
214 the governor. The [state conservation] *recreation and*
215 *wildlife* commission, the conservation committee of the
216 Iowa academy of science, and the state historical society
217 shall submit to the governor a list of possible
218 appointments. Members shall be selected from persons
219 with a demonstrated interest in the preservation of
220 natural lands and waters, and historic sites. The
221 director of the [state conservation commission] *department*
222 shall serve as one member of the board. Any vacancies
223 on the board shall be filled, for the remainder of the
224 term vacated, by appointment by the governor provided
225 by this chapter.

226 The first members appointed after the effective date
227 of this chapter shall serve as follows: Two members
228 to serve until July 1, 1968; two members to serve until
229 July 1, 1969; two members to serve until July
230 1, 1970, and the director of the [state conservation
231 commission] *department* shall serve as long as he is
232 director of the [conservation commission] *department*.
233 Members shall serve until their successors are appointed
234 and qualified. As terms of members so appointed expire,
235 their successors shall be appointed for terms to expire
236 three years thereafter. Any member who has served two
237 consecutive full terms will not be eligible for
238 reappointment for a period of one year following the
239 expiration of his second term.

240 Sec. 111. Section eighty-three A point two (83A.2),
241 subsections twelve (12), thirteen (13), fourteen (14),
242 and fifteen (15), Code 1971, are amended to read as
243 follows:

244 12. "Department" means the department of [mines and
245 minerals] *environmental quality*.

246 13. "Board" means the [state mining board] *natural*
247 *resources commission of the department of environmental*
248 *quality*.

249 14. "Advisory board" means the "land rehabilitation
250 advisory board" in the department of [mines and minerals]
251 *environmental quality*.

252 15. "Inspector" means [the state mine inspector and]
253 any [other] employee of the department [of mines and
254 minerals] responsible for administration or enforcement
255 of this chapter.

256 Sec. 112. Section eighty-three A point three (83A.3),
257 Code 1971, is amended to read as follows:

258 83A.3 ADVISORY BOARD. There is hereby established
259 within the department [of mines and minerals] a land
260 rehabilitation advisory board which shall consist of
261 eight members appointed by the governor, as follows:

262 1. The state forester or a member educated and ex-
263 perience in the field of forestry.

264 2. The state geologist or a member educated and
265 experienced in the field of geology.

266 3. One member educated and experienced in the field
267 of agronomy.

268 4. One member representing the [state conservation
269 commission] *recreation and wildlife commission of the*
270 *department*.

271 5. One member representing the [Iowa natural re-
272 sources council] *natural resources commission of the*
273 *department*.

274 6. One member representing the [state soil conser-
275 vation committee, who may be either a member of the
276 committee, or the director or a member of the staff
277 of the department of soil conservation] *soil conservation*
278 *commission of the department*.

279 7. Two members representing Iowa surface mining
280 operators. The state association or groups represent-
281 ing each of the industries engaged in surface mining
282 in Iowa, or their managing boards, may jointly submit
283 to the governor in each year when an industry repre-
284 sentative is to be appointed a list of two or more per-
285 sons qualified for the appointment. If a list is sub-
286 mitted, the governor shall appoint to the advisory board
287 at least one of the persons named on the list.

288 Members of the advisory board may at any time re-
289 quest representatives of any federal, state, local,
290 or private agency or group to serve in a consulting
291 capacity with the advisory board.

292 Sec. 113. Section eighty-three A point four (83A.4),
293 Code 1971, is amended to read as follows:

294 83A.4 TERMS. Members of the advisory board shall
295 serve for terms of three years.

296 Vacancies on the advisory board shall be filled for
297 the unexpired term of the vacancy in the same manner
298 as the original appointment. Members of the advisory

299 board shall serve without compensation but shall be
300 allowed actual and necessary expenses while engaged
301 in official duties upon certification of the chairman
302 of the advisory board to the [state mining board] *com-*
303 *mission*.

304 Sec. 114. Section eighty-three A point five (83A.5),
305 Code 1971, is amended to read as follows:

306 83A.5 MEETINGS OF BOARD. Prior to August 1 of each
307 year, the advisory board shall meet and organize and
308 shall elect a chairman and such other officers as
309 advisory board members shall deem necessary. The chair-
310 man shall be responsible for calling meetings of the
311 advisory board. Advisory board meetings shall be held
312 at least quarterly and at such other times as the chair-
313 man of the advisory board or the chairman of the [state
314 mining board] *commission* deems necessary or upon the
315 request of four or more advisory board members.

316 Sec. 115. Section eighty-three A point six (83A.6),
317 subsections one (1), two (2) and three (3), Code 1971,
318 is amended to read as follows:

319 1. Advise the [state mining board] *commission* on any
320 matter relating to administration and enforcement of
321 this chapter.

322 2. Advise the [state mining board] *commission* with
323 respect to surface mined land rehabilitation demon-
324 stration projects.

325 3. Advise the [state mining board] *commission* on the
326 gathering, preparation, and dissemination of infor-
327 mation on methods of rehabilitating land which has been
328 surface mined and on any state, federal, or other finan-
329 cial assistance which may be available to assist in
330 paying the cost of rehabilitation of the land.

331 Sec. 116. When used in the Code, the words 'Iowa
332 natural resources council' or 'natural resources council'
333 shall mean 'natural resources commission of the depart-
334 ment of environmental quality'. When publishing the
335 Code of Iowa, the Code editor is instructed to substitute
336 the words 'natural resources commission of the depart-
337 ment of environmental quality' for the words 'Iowa na-
338 tural resources council' or 'natural resources council'
339 wherever found in the Code.

340 Sec. 117. When used in the Code, the words 'state
341 soil conservation committee' shall mean 'soil conserva-
342 tion commission of the department of environmental
343 quality' and the words 'department of soil conservation'
344 shall mean 'department of environmental quality'. When
345 publishing the Code of Iowa, the Code editor is
346 instructed to substitute the words 'soil conservation
347 commission of the department of environmental quality'
348 for the words 'state soil conservation committee' and
349 the words 'department of environmental quality' for
350 the words 'department of soil conservation' whenever
351 found in the Code."

352 17. Page 64, by striking lines 3 to 33, inclusive,
353 and inserting in lieu thereof the following new sec-

354 tions:

355 "Sec. 118. Sections one hundred seven point one
 356 (107.1), one hundred seven point two (107.2), one hun-
 357 dred seven point three (107.3), one hundred seven point
 358 four (107.4), one hundred seven point five (107.5),
 359 one hundred seven point six (107.6), one hundred seven
 360 point seven (107.7), one hundred seven point eight
 361 (107.8), one hundred seven point nine (107.9), one
 362 hundred seven point ten (107.10), one hundred seven
 363 point eleven (107.11), one hundred seven point twelve
 364 (107.12), one hundred seven point thirteen (107.13),
 365 one hundred seven point twenty-one (107.21), one hundred
 366 seven point twenty-two (107.22), one hundred seven point
 367 twenty-four (107.24), subsection seven (7), one hundred
 368 thirty-five point eleven (135.11), subsection seven
 369 (7), one hundred thirty-six point three (136.3),
 370 subsection two (2), paragraph c, four hundred fifty-
 371 five A point three (455A.3), four hundred fifty-five
 372 A point four (455A.4), four hundred fifty-five A point
 373 five (455A.5), four hundred fifty-five A point six
 374 (455A.6), four hundred fifty-five A point seven (455A.7),
 375 four hundred fifty-five A point eight (455A.8), four
 376 hundred fifty-five A point nine (455A.9), four hundred
 377 fifty-five A point ten (455A.10), four hundred fifty-
 378 five A point eleven (455A.11), four hundred fifty-five
 379 A point twelve (455A.12), four hundred fifty-five A
 380 point thirteen (455A.13), four hundred sixty-seven A
 381 point four (467A.4), subsections one (1), two (2), and
 382 three (3), and chapters one hundred thirty-six A (136A),
 383 one hundred thirty-six B (136B), two hundred six (206),
 384 two hundred six A (206A), four hundred fifty-five B
 385 (455B), four hundred fifty-five C (455C), and four
 386 hundred six (406), Code 1971, are repealed.

387 Sec. 119. The effective date of this Act shall be
 388 January 1, 1973, except that the governor may, prior
 389 to January 1, 1973, by executive order, appoint the
 390 necessary commission members, authorize the commissions
 391 to organize themselves as provided in this Act, and
 392 transfer the functions, records, equipment, funds, other
 393 property, and personnel provided in this Act to the
 394 department. Any powers, duties, functions, responsi-
 395 bilities, and programs not so transferred, shall be
 396 transferred by operation of law on the first of January,
 397 1973.

398 The governor may also by executive order prior to
 399 the first of January, 1973, after he has determined
 400 that the boards and commissions abolished by this Act
 401 no longer have any significant functions to perform,
 402 provide that the offices shall stand abolished and the
 403 members thereof shall not be entitled to any further
 404 compensation.

405 Officers and employees of the department appointed,
 406 and members of the commissions and the executive commit-
 407 tee authorized to meet, prior to the first of January,
 408 1973, may be compensated as provided in this Act from

409 existing funds transferred by executive order to the
410 department."

411 18. By renumbering the sections, subsections, and
412 internal references to sections and subsections to con-
413 form to this amendment.

BLOUIN of Dubuque

1 Amend Senate 463, as passed by the Senate, as
2 follows:

3 1. Page 2, line 23, by striking the words and figure
4 "paragraph two (2)" and the word "is" and inserting
5 in lieu thereof the words and figures "paragraphs one
6 (1), two (2), and three (3)" and the word "are".

7 2. Page 2, after line 24, by inserting the fol-
8 lowing:

9 Every registration certificate and number issued
10 shall expire at midnight [April 30] *December 31*, unless
11 sooner terminated or discontinued in accordance with
12 the provisions of this chapter. After the first day
13 of [January] *September* each year, any unregistered
14 snowmobile and renewals of registration may be so
15 registered for the subsequent year beginning [May] *January 1*.

16 3. Page 3, line 25, by striking the word "January"
17 and inserting in lieu thereof the words "[January]
18 *September*".

19 4. Page 2, line 31, by striking the word "May" and
20 inserting in lieu thereof the words "[May] *January*".

21 5. Page 2, after line 34, by inserting the fol-
22 lowing:

23 If the application for registration for the subsequent
24 year is not made before [May] *January 1* of each year,
25 the applicant shall be charged a penalty of one dollar
26 for each six month's delinquency, or any portion thereof.

27 6. Page 1, line 1, amend the title by inserting
28 after the word "fees", the words "and registration
29 dates".

REX of Hamilton

1 Amend the Senate amendment to House File 574, as
2 printed on page 108 of the Journal of the House for
3 January 20, 1972, as follows:

4 Line 14, insert after the figure "1974" the words
5 "; however, no part of this Act shall take effect in
6 a city in any event unless first approved by the
7 qualified voters of the city at a special election held
8 for that purpose."

FISCHER of Grundy

1 Amend House File 711 as follows:

2 1. Page 4, after line 11, by inserting the following
3 new section:

4 "Sec. 5. Section three hundred twenty-one G point
5 six (321G.6), unnumbered paragraphs one (1), two (2),

6 and three (3), Code 1971, are amended to read as follows:

7 Every registration certificate and number issued
8 shall expire at midnight [April 30] *December 31*, unless
9 sooner terminated or discontinued in accordance with
10 the provisions of this chapter. After the first day
11 of [January] *September* each year, any unregistered
12 snowmobile and renewals of registration may be so
13 registered for the subsequent year beginning [May] *January 1*.

14 After the first day of [January] *September* any
15 unregistered snowmobile may be registered for the
16 remainder of the current registration period and for
17 the subsequent registration period in one transaction.
18 The fee shall be three dollars for the remainder of
19 the current period, in addition to the registration
20 fee of six dollars for the subsequent year beginning
21 [May] *January 1*, and a writing fee of fifty cents.

22 Registration certificates and numbers may be renewed
23 upon application of the owner in the same manner as
24 provided for in securing the original registration.

25 If the application for registration for the subsequent
26 year is not made before [May] *January 1* of each year,
27 the applicant shall be charged a penalty of one dollar
28 for each six month's delinquency, or any portion thereof.

29 2. Page 8, line 16 by striking the words "April
30 thirtieth" and inserting in lieu thereof the word and
31 figure "December 31".

32 3. By renumbering the sections as necessary.

REX of Hamilton

1 Amend House File 711, page 8 by inserting the
2 following after line 29:

3 12. "The state or its political subdivisions owe
4 no duty of care to keep the ditches or land contiguous
5 to a highway or roadway under the control of the state
6 or a political subdivision safe for entry or use by
7 persons operating a snowmobile, or to give any warning
8 of a dangerous condition, use, structure, or activity
9 on such premises to persons entering for such purposes
10 except in the case of willful or malicious failure to
11 guard or warn against a dangerous condition, use,
12 structure, or activity. This section shall not be
13 construed to create a duty of care or ground of liability
14 on behalf of the state or any of its political
15 subdivisions for injury to persons or property in the
16 operation of snowmobiles in a ditch or on land contiguous
17 to a highway or roadway under the control of the state
18 or a political subdivision. The state or its political
19 subdivisions shall, in no event, be liable for the
20 operation of a snowmobile in violation of the provisions
21 of this chapter."

SCOTT of Franklin
MONROE of Des Moines

1 Amend House File 726, page 1, by striking all of
 2 lines 15, 16 and 17 and the first word "damages."
 3 in line 18.

STANLEY of Linn
 TIEDEN of Clayton
 MIDDLESWART of Warren

1 Amend House File 726 as follows:
 2 1. Page 1, line 8, by inserting after the word
 3 "fowl," the word "or".
 4 2. Page 1, line 9, by striking the words "or
 5 fish".

TIEDEN of Clayton

1 Amend House File 1053 by striking from lines
 2 19 and 20 the words "*five percent per annum nor more*
 3 *than nine percent per annum.*" and inserting in lieu
 4 thereof the words "*the rate of return upon investment*
 5 *allowed that utility by the commission.*"

WILLITS of Polk
 BLOUIN of Dubuque
 JESSE of Polk

1 Amend House File 1053 by striking all after the
 2 enacting clause and inserting in lieu thereof the
 3 following:
 4 "Section 1. Section four hundred ninety A
 5 point six (490A.6), unnumbered paragraph six (6),
 6 Code 1971, is hereby repealed.
 7 Sec. 2. Section four hundred ninety A
 8 point six (490A.6), unnumbered paragraph seven (7),
 9 Code 1971, is amended by striking all in the paragraph
 10 after the period in unnumbered line thirteen (13)."

WILLITS of Polk
 PELTON of Clinton
 JESSE of Polk

1 Amend Senate File 77, as amended and passed by the
 2 Senate and reprinted, as follows:
 3 1. Page 2B, by inserting after line 42, the following
 4 new sections:
 5 a. Section four hundred three A point six (403A.6),
 6 Code 1971, is amended as follows:
 7 403A.6 OPERATION OF HOUSING NOT FOR PROFIT. It is
 here-
 8 by declared to be the policy of this state that each munici-
 9 pality shall manage and operate its housing projects in an
 10 efficient manner so as to enable it to fix the rentals or
 11 payments for dwelling accommodations at low rates consistent
 12 with its providing decent, safe and sanitary dwelling accom-
 13 modations for persons of low income, and that no municipal-
 14 ity shall construct or operate any housing project for
 15 profit, or as a source of revenue to the municipality. To
 16 this end the municipality shall fix the rentals or payments

17 for dwellings in its projects at no higher rates than it
18 shall find to be necessary in order to produce revenues
19 which (together with all other available moneys, revenues,
20 income and receipts in connection with or for such projects
21 from whatever sources derived, including federal financial
22 assistance) will be sufficient (1) to pay, as the same be-
23 come due, the principal and interest on the bonds issued
24 pursuant to this chapter; (2) to create and maintain such
25 reserves as may be required to assure the payment of princi-
26 pal and interest as it becomes due on such bonds; (3) to
27 meet the cost of, and to provide for, maintaining and oper-
28 ating the projects (including necessary reserves therefor
29 and the cost of any insurance, and of administrative expen-
30 ses); and (4) to [make such payments in lieu of taxes] *pay*
31 *property taxes* and, after payment in full of all obligations
32 for which federal annual contributions are pledged, to make
33 such repayments of federal and local contributions as it
34 determines are consistent with the maintenance of the low-
35 rent character of projects. Rentals or payments for dwell-
36 ings shall be established and the projects administered, in-
37 sofar as possible, so as to assure that any federal financial
38 assistance required shall be strictly limited to amounts and
39 periods necessary to maintain the low-rent character of the
40 projects.

41 b. Section four hundred three A point ten (403A.10),
42 Code 1971, is amended by striking the section and inserting
43 in lieu thereof the following:

44 403A.10 TAXATION. The property acquired or held pursu-
45 ant to this chapter shall be subject to property taxation
46 and special assessments in the same manner as other taxable
47 property.

48 c. Chapter four hundred three A (403A), Code 1971, is
49 amended by adding the following new section:

50 No municipality or low-rent housing agency shall finance
51 a housing project under this Act from any revenue which is
52 obtained directly or indirectly from property taxation.

53 2. Page 2B, by striking line 44 and inserting in lieu
54 thereof the following:

55 "(403A.25), four hundred three A point twenty-six
56 (403A.26), and four hundred three A point twenty-seven
57 (403A.27)."

58 3. By renumbering the sections to conform to this
59 amendment.

60 4. Amend the title, page 1, line 2, by inserting after
61 the word "projects" the words "and to the taxation of low-
62 rent housing projects".

TAYLOR of Dubuque

On motion by Varley of Adair, the House adjourned until
10:00 a.m., Tuesday, January 25, 1972.

JOURNAL OF THE HOUSE

Sixteenth Calendar Day—Twelfth Session Day

HALL OF THE HOUSE OF REPRESENTATIVES
DES MOINES, IOWA, TUESDAY, JANUARY 25, 1972

The House met pursuant to adjournment, Speaker Harbor in the chair.

Prayer was offered by the Reverend Harold E. Butz, associate secretary of Iowa Council of Churches, Des Moines, Iowa.

The Journal of Monday, January 24, 1972, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Fred Loomis, Waterloo, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Sargisson of Woodbury on request of Doyle of Woodbury.

PRESENTATION OF IOWA HEART PRINCESS

Pelton of Clinton rose on a point of personal privilege and introduced to the House Julia Bengston, Iowa Heart Princess. Julia, who is ten years old, is the daughter of Mr. and Mrs. Larry Bengston of Clinton.

At the invitation of the Speaker, Julia was seated at the Speaker's station.

The House extended their welcome to Julia.

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

One hundred twenty-five senior students from Pella Community Schools, Pella, Iowa, accompanied by their teacher, Mr. Hoekstra. By Dougherty of Monroe.

Thirty fifth grade students from Wright Elementary School, Des Moines, Iowa, accompanied by their teacher, Mrs. Myers. By Kinley of Polk.

PETITION FILED

The following petition was received and placed on file:

By Strothman of Henry from eight residents of Jefferson County opposing any proposed bill to end the Iowa state liquor monopoly.

HOUSE FILE 711 RE-REFERRED

Tieden of Clayton asked and received unanimous consent that House File 711 now on the House calendar be re-referred to the committee on conservation and recreation.

INTRODUCTION OF BILLS

House File 1063, by Lipsky, Lawson and Dunton, a bill for an act relating to alterations and repairs to the state capitol building and to organization of the capitol planning commission.

Read first time and referred to committee on **state government**.

House File 1064, by Scott, a bill for an act relating to emergency light sources for certain public places.

Read first time and referred to committee on **cities and towns**.

House File 1065, by Middleswart, a bill for an act relating to deer-hunting licenses.

Read first time and referred to committee on **conservation and recreation**.

House File 1066, by Rodgers, a bill for an act relating to a pamphlet on the use of alcoholic liquor and beer.

Read first time and referred to committee on **law enforcement**.

House File 1067, by Pellett, a bill for an act relating to the disposition of proceeds from a casual farm auction sale.

Read first time and referred to committee on **agriculture**.

House File 1068, by committee on transportation, a bill for an act to create a state department of transportation and to make an appropriation therefor.

Read first time and **placed on the calendar**.

House File 1069, by Kelly, a bill for an act relating to a state of the judicial department message.

Read first time and referred to committee on **judiciary**.

SENATE MESSAGE CONSIDERED

Senate File 1015, a bill for an act relating to expert witness fees.

Read first time and referred to committee on judiciary.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File 412, a bill for an act relating to administrative rules of departments of the state.

CARROLL A. LANE, Secretary

SENATE AMENDMENT TO HOUSE FILE 412

1 Amend House File 412 as amended and passed by the House by
2 striking all after the enacting clause and inserting in lieu
3 thereof the following:

4 "Section 1. Section seventeen A point one (17A.1),
5 subsection three (3), Code 1971, is amended by striking the
6 subsection and inserting in lieu thereof the following:
7 3. 'Rule' means any rule, regulation, order or standard
8 of general application that implements, interprets, or
9 prescribes law or policy, or describes the organization, pro-
10 cedure, or practice requirements of an agency or the amendment,
11 supplement, repeal, rescission, or revision of any rule,
12 regulation, order, or standard of general application.

13 'Rule' does not include any statement concerning only
14 the internal management of an agency and not affecting the
15 rights or procedures available to the public. 'Rule' does
16 not include rules adopted relating to the management,
17 discipline, or release of any person committed to any state
18 institution, nor rules of an agency which may be necessary
19 during emergencies such as floods, epidemics, invasion, or
20 other disasters.

21 Sec. 2. The rules review committee may upon its own
22 motion require that a department meet with it to discuss
23 and review rules already promulgated and in force and there-
24 after render to such department an advisory opinion requesting
25 that such rules be amended or revised."

CONSIDERATION OF BILLS

SPECIAL ORDER

(Senate File 77 Pending)

The hour of 10:00 a.m. having arrived, the Speaker announced the special order of business for the consideration of Senate File 77, a bill for an act relating to the referendum for approval of low-rent housing projects.

Taylor of Dubuque asked and received unanimous consent to withdraw the amendment filed by him on January 24, 1972, and found on pages 155 and 156 of the House Journal.

Freeman of Buena Vista offered the following amendment filed by Millen, et al.:

Amend Senate File 77 by adding thereto the following section:

Sec. 3. The low-rent housing agency shall not undertake any low-cost housing project until such time as a public hearing has been called, at which time the agency shall advise the public of the name of the proposed project, its location, the number of living units proposed and their approximate cost. Notice of the public hearing on the proposed project shall be published at least once in a newspaper of general circulation within the municipality, at least fifteen days prior to the date set for the hearing.

If, within thirty days after the public hearing, there is filed with the clerk of the municipality a petition asking that the proposition be placed before the voters of the municipality, signed by at least two percent of the electorate of the municipality voting for governor at the last preceding general election, then the agency shall not proceed until the proposal has been approved by the electorate of the municipality voting on the proposition at any regular primary or general election or at a special election called by the governing body of the municipality.

Notice of the time and place of such election shall be given by publication once each week for three consecutive weeks prior thereto in some newspaper of general circulation in such municipality.

Division of the amendment was requested, division 1 to be lines 1 through 12 and division 2 to be lines 13 through 27.

Freeman of Buena Vista moved the adoption of division 1, lines 1 through 12 of the amendment.

Roll call was requested by Freeman of Buena Vista and Roorda of Jasper.

On the question "Shall division 1 of the amendment be adopted?"

The ayes were, 56:

Andersen	Den Herder	Freeman	Kelly
Bergman	Drake	Grassley	Knoke
Campbell	Edelen	Hamilton	Kreamer
Christensen	Egenes	Hansen	Kruse
Clark	Fischer, H. O.	Holden	Lawson
Curtis	Fisher, C. R.	Kehe	Lipsky

Logemann	Patton	Shaw	Tieden
McElroy	Pellett	Siglin	Trowbridge
Mendenhall	Pelton	Sorg	Varley
Menefee	Pierson	Stanley	Welden
Miller	Radl	Stokes	Winkelman
Moffitt	Roorda	Strand	Wirtz
Nielsen	Schroeder	Strothman	Wyckoff
Nystrom	Scott	Taylor	Mr. Speaker

The nays were, 36:

Anania	Ewell	Knoblauch	Rodgers
Bennett	Franklin	Larson	Schmeiser
Blouin	Gluba	McCormick	Schwartz
Bray	Hill	Middleswart	Schwieger
Cochran	Husak	Mollett	Skinner
Dougherty	Jesse	Monroe	Small
Doyle	Johnston	Norpel	Uban
Dunton	Kennedy	Priebe	Wells
Ellsworth	Kinley	Rex	Willits

Absent or not voting, 8:

Alt	Goode	Millen	Stromer
Camp	Mayberry	Sargisson	Waugh

Division 1 of the amendment was adopted.

Schroeder of Pottawattamie offered, from the floor, the following amendment to division 2 of the amendment and moved its adoption.

Amend the Millen, et al., amendment to Senate File 77, filed June 17, 1971, by striking from line 17 the word "two" and inserting in lieu thereof the word "ten".

Amendment to division 2 of the amendment was adopted.

Freeman of Buena Vista moved the adoption of division 2 of the amendment as amended.

Roll call was requested by Bray of Scott and Blouin of Du-buque.

On the question "Shall division 2 of the amendment as amended be adopted?"

The ayes were, 40:

Anania	Hamilton	Nielsen	Strothman
Andersen	Kehe	Nystrom	Taylor
Bergman	Kelly	Pellett	Tieden
Campbell	Knoke	Pierson	Trowbridge
Christensen	Kreamer	Rex	Waugh
Clark	Kruse	Roorda	Welden
Curtis	Logemann	Schroeder	Winkelman
Fischer, H. O.	McElroy	Stanley	Wirtz
Freeman	Mendenhall	Stokes	Wyckoff
Grassley	Miller	Strand	Mr. Speaker

The nays were, 50:

Bennett	Fisher, C. R.	Lawson	Schmeiser
Blouin	Franklin	Lipsky	Schwartz
Bray	Gluba	Mayberry	Schwieger
Cochran	Hansen	McCormick	Scott
Den Herder	Hill	Middleswart	Shaw
Dougherty	Holden	Moffitt	Siglin
Doyle	Husak	Mollett	Skinner
Drake	Jesse	Monroe	Small
Dunton	Johnston	Norpel	Uban
Edelen	Kennedy	Patton	Varley
Egenes	Kinley	Pelton	Wells
Ellsworth	Knoblauch	Rodgers	Willits
Ewell	Larson		

Absent or not voting, 10:

Alt	Menefee	Radl	Sorg
Camp	Millen	Sargisson	Stromer
Goode	Priebe		

Division 2 of the amendment as amended lost.

Kreamer of Polk offered the following amendment from the floor:

Amend Senate File 77, as amended, passed and reprinted by the Senate, as follows:

Page 2A, by adding after the period in line 27 the following:

"However, if municipal housing powers have been delegated to the low-rent housing agency, such agency, prior to exercising municipal housing powers, must receive majority approval from the local governing body."

Cochran of Webster rose on a point of order that the amendment was not germane.

The Speaker ruled the point not well taken and the amendment germane.

(Senate File 77 and the Kreamer amendment pending at adjournment.)

REPORTS OF COMMITTEES

Rex of Hamilton, from the committee on county government, submitted the following reports:

MR. SPEAKER: Your committee on county government, to whom was referred **House File 465**, a bill for an act relating to salaries of deputy sheriffs, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same **do pass**.

REX of Hamilton, Chairman

Also:

MR. SPEAKER: Your committee on county government, to whom was referred **House File 494**, a bill for an act relating to the transfer of portions of the primary road system into the secondary road system, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same **be amended as follows, and when so amended the bill do pass:**

Amend House File 494 by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section three hundred thirteen point two (313.2), Code 1971, is amended by inserting after unnumbered paragraph two (2) the following:

Whenever the board of supervisors of a county and the state highway commission mutually determine that a portion of a highway under the jurisdiction of either party should be transferred to the jurisdiction of the other party, the board and the commission may enter into an agreement to effect such transfer. Such agreement may provide that each party may undertake or share responsibility for improving said road with the costs of such improvement to be borne entirely by either the county or the commission or equitably divided between the two jurisdictions. All such improvements shall be completed and all actual costs thereof paid or reimbursed prior to the time transfer of the road is made. In carrying out such agreement, the board of supervisors may expend secondary road funds of the county and the highway commission may expend primary road funds."

REX of Hamilton, Chairman

Also:

MR. SPEAKER: Your committee on county government, to whom was referred **Senate File 203**, a bill for an act relating to administrative rules and regulations, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same **do pass.**

REX of Hamilton, Chairman

Alt of Polk, from the committee on cities and towns, submitted the following report:

MR. SPEAKER: Your committee on cities and towns, to whom was referred **House File 1007**, a bill for an act relating to grounds for refusal to register motor vehicles, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same **be amended as follows, and when so amended the bill do pass:**

Amend House File 1007 as follows:

1. Page 2, line 8, by striking the words "The clerk of" and capitalizing the word "each."

ALT of Polk, Chairman

Fisher of Greene, from the committee on state government, submitted the following report:

MR. SPEAKER: Your committee on state government, to whom was referred Senate File 470, a bill for an act relating to deferred compensation for governmental employees, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same **do pass**.

FISHER of Greene, Chairman

AMENDMENTS FILED

1 Amend Senate File 77 as amended, passed and re-
2 printed by the Senate, as follows:
3 Page 2A, line 27, by striking everything after
4 the period and by striking lines 28 through 32,
5 and by striking everything before the period in
6 line 33, and inserting in lieu thereof the following:
7 "A municipality or a 'Low-rent Housing Agency'
8 may not proceed with a housing project until a study
9 or a report and recommendation on housing available
10 within the community is made public by the munici-
11 pality or agency and is included in its recommenda-
12 tions for a housing project. Such recommendations
13 must receive majority approval from the local
14 governing body before proceeding on the housing
15 project."

KREAMER of Polk
BRAY of Scott

1 Amend House File 1056 as follows:
2 1. Page 23, by striking line 35.
3 2. Page 24, by striking lines 1 through 11, inclu-
4 sive, and inserting in lieu thereof the following:
5 1. In addition to the annual permit fee to be paid
6 by all class "A" permittees under the provisions of
7 this [Act] *chapter* there shall be levied and collected
8 from such permittees on all beer manufactured for sale
9 or sold in this state at wholesale and on all beer
10 imported into this state for sale at wholesale and sold
11 in this state wholesale, a tax of four and thirty-four
12 hundredths dollars for every barrel containing thirty-
13 one gallons, and at a like rate for any other quantity
14 or for the fractional part of a barrel. [However, no
15 tax shall be levied or collected on beer shipped outside
16 this state by a class "A" permittee or sold by one class
17 "A" permittee to another class "A" permittee.

TROWBRIDGE of Floyd

On motion by Varley of Adair, the House adjourned until 9:00 a.m., Wednesday, January 26, 1972.

JOURNAL OF THE HOUSE

Seventeenth Calendar Day—Thirteenth Session Day

HALL OF THE HOUSE OF REPRESENTATIVES
DES MOINES, IOWA, WEDNESDAY, JANUARY 26, 1972

The House met pursuant to adjournment, Speaker Harbor in the chair.

The following prayer was offered by Rabbi Irving Weingart, pastor of the Tifereth Israel Synagogue, Des Moines, Iowa:

“Sovereign of the Universe and Father of Mankind: Thou who discernest our innermost thoughts and weighest our outward deeds—earnestly we invoke Thy blessing upon these Thy faithful servants—our representatives duly chosen by free citizens to speak and legislate for the welfare of all the inhabitants of this State of Iowa. Do Thou gracious Guardian ever direct their deliberations with vision and wisdom to make our cities and towns better and happier places to dwell and thus add to the strength and security of our beloved country. Grant to our legislators the insight and foresight equal to their responsibilities and the courage commensurate with their forthright convictions. Endow them with the will—patience and diligence to ascertain and determine through honest debate and exchange of views what is the greatest good for the greatest number of the inhabitants of our state—holding in highest regard all the citizens regardless of race or creed or station in life.

Grant us strength that we may neither despair nor surrender in an age in which our problems are many, and endow us with humility to know that our solutions may be uncertain and fallible. Grant us the faith that despite setback and resistance, justice will prevail, and that with justice will come peace. Grant unto us the courage of our convictions that we may not be hindered by the fears and anxieties of the hidden tomorrow.

May we ever recognize that the strength of our country is not vested in missiles and bases but in people—in institutions, federations and agencies that serve with dedication and devotion, the needs of our fellowman.

Thus we pray Thee dear Lord, bless our glorious land of liberty, the President of the United States, Richard M. Nixon, the Governor of our State, Robert Ray and all our leaders and representatives who hold positions of high responsibility. May they all zealously toil for the welfare of our nation and for the advancement of the cause of peace and freedom throughout the world. May the ideals of justice, democracy, equality and peace become the heritage of all people of the earth. Amen.”

The Journal of Tuesday, January 25, 1972, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. J. P. Gallagher, Oelwein, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:
Sargisson of Woodbury on request of Doyle of Woodbury.

PRESENTATION OF VISITORS

Twenty-five fifth grade students from Wright Elementary School, Des Moines, Iowa, accompanied by their teacher, Miss Foster. By Anania of Polk.

PETITIONS FILED

The following petitions were received and placed on file:

By Harbor of Mills, from the members of the Little Rock Community School District Board of Education and the members of the West Sioux Community School Board of Education recommending the establishment of new intermediate school systems.

By Hansen of Black Hawk, from forty-one municipal employees of the City of Cedar Falls favoring House File 95 to increase benefits under IPERS.

ADOPTION OF COMMITTEE REPORTS

The Chief Clerk announced the adoption of reports of committees on House Files 465, 494, 1007 and Senate Files 203 and 470, under Rule 35.

PROOFS OF PUBLICATIONS

Published copy of Senate File 1055 and verified proof of publication of said bill in the Ames Daily Tribune, Ames, Iowa on December 31, 1971, was filed with the Chief Clerk of the House prior to the time said bill was placed on passage in the House.

Published copy of House File 1071 and verified proof of publication of said bill in the Audubon News-Advocate, Audubon, Iowa, on January 13, 1972, was filed with the Chief Clerk of the House prior to the time said bill was placed on passage in the House.

WILLIAM R. KENDRICK, Chief Clerk
House of Representatives

INTRODUCTION OF BILLS

House File 1070, by Nystrom, a bill for an act to provide for adjusting the pay of state employees under the Iowa merit employment department according to changes in the consumer price index.

Read first time and referred to committee on state government.

House File 1071, by Pellett, a bill for an act to legalize the indebtedness of the Audubon County Agricultural Society and to provide an annual tax to pay said indebtedness.

Read first time and referred to committee on **judiciary**.

House File 1072, by Pellett (Briles), a bill for an act relating to the tax levy for flood and erosion control.

Read first time and referred to committee on **ways and means**.

House File 1073, by Schwieger, a bill for an act relating to state reciprocity in the enforcement of support decrees; providing for the enforcement in Iowa of support decrees granted in other states and the enforcement in other states of those granted in Iowa; providing for the registration in Iowa of support orders granted in other states; and providing for the administrative procedures necessary thereto.

Read first time and referred to committee on **judiciary**.

INTRODUCTION OF JOINT RESOLUTION

House Joint Resolution 1001, by Uban, McElroy, Shaw, Egenes, Miller, Sargisson, Lipsky, Willits, Gluba, and Franklin, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to equality of rights.

Read first time and referred to committee on **constitutional amendments and reapportionment**.

CONSIDERATION OF BILLS

SPECIAL ORDER

(Senate File 77)

The House resumed consideration of **Senate File 77**, a bill for an act relating to the referendum for approval of low-rent housing projects.

Kreamer of Polk asked and received unanimous consent to withdraw the amendment filed by him on January 25, 1972, and found on page 162 of the House Journal.

Kreamer of Polk offered the following amendment filed by him and Bray of Scott:

Amend Senate File 77 as amended, passed and reprinted by the Senate, as follows:

Page 2A, line 27, by striking everything after the period and by striking lines 28 through 32,

and by striking everything before the period in line 33, and inserting in lieu thereof the following:

"A municipality or a 'Low-rent Housing Agency' may not proceed with a housing project until a study or a report and recommendation on housing available within the community is made public by the municipality or agency and is included in its recommendations for a housing project. Such recommendations must receive majority approval from the local governing body before proceeding on the housing project."

Bray of Scott offered from the floor the following amendment to the amendment and moved its adoption:

Amend the Kreamer-Bray amendment to Senate File 77 filed January 25, 1972, line 6, by striking the words "inserting in lieu thereof the following:" and inserting the words "add the following new paragraph, page 2B after the period in line 42:":

The amendment to the amendment was adopted.

Kreamer of Polk moved the adoption of the amendment as amended.

The amendment as amended was adopted.

Bray of Scott offered the following amendment from the floor and moved its adoption:

Amend the title to Senate File 77 by striking everything after the word "Act" and inserting in lieu thereof the following:

"to repeal the referendum for approval of low-rent housing projects and to substitute an alternate procedure therefor."

The amendment was adopted.

Bray of Scott moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 77)

The ayes were, 63:

Bennett	Drake	Hamilton	Knoblauch
Blouin	Dunton	Hansen	Knoke
Bray	Edelen	Hill	Larson
Camp	Egenes	Holden	Lawson
Christensen	Ellsworth	Husak	Lipsky
Clark	Ewell	Jesse	Logemann
Cochran	Fisher, C. R.	Kelly	Mayberry
Dougherty	Franklin	Kennedy	McCormick
Doyle	Gluba	Kinley	McElroy

Middleswart	Pelton	Schweiger	Uban
Miller	Pierson	Scott	Varley
Moffitt	Priebe	Shaw	Wells
Mollett	Rodgers	Siglin	Willits
Monroe	Roorda	Small	Wirtz
Norpel	Schmeiser	Stromer	Mr. Speaker
Patton	Schwartz	Tieden	

The nays were, 32:

Alt	Freeman	Nystrom	Strand
Anania	Grassley	Pellett	Strothman
Andersen	Kehe	Radl	Taylor
Bergman	Kreamer	Rex	Trowbridge
Campbell	Kruse	Schroeder	Waugh
Curtis	Mendenhall	Sorg	Welden
Den Herder	Menefee	Stanley	Winkelman
Fischer, H. O.	Nielsen	Stokes	Wyckoff

Absent or not voting, 5:

Goode	Millen	Sargisson	Skinner
Johnston			

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

SENATE MESSAGE CONSIDERED

SENATE FILE 392 PENDING

Strothman of Henry called up for consideration Senate File 392, a bill for an act relating to eradication of hog cholera and the control and eradication of the swine diseases and the Senate message in which the Senate refused to concur in the following House amendment:

Amend Senate File 392, as amended, passed, and reprinted by the Senate, as follows:

1. Page 4A, line 1, by inserting after the word "moved" the words " , except native Iowa swine raised from birth that are purchased at any market for resale as slaughter animals or for the production of biological products, and except native Iowa swine purchased for any purpose at an Iowa auction market operating under a valid Iowa permit,".

2. Page 4A, by inserting after line 19 the following:
"All such movements of swine shall be completed within seventy-two hours unless an extension of time for movement is granted by the department."

3. Page 4A, line 26, by inserting after the word "department" the words "and all native Iowa swine sold which are moved directly from farm to farm".

4. Page 5A, lines 5 and 6, by striking the words " , involving not more than two markets,".

Division of the amendment was requested.

Strothman of Henry moved that the House recede from amendment 1, lines 3 through 8.

A non-record roll call was requested.

The ayes were 56, nays 27.

Motion prevailed and the House receded from amendment 1.

Strothman of Henry moved that the House recede from amendment 2, lines 9 through 12.

Roll call was requested by Strothman of Henry and Kruse of O'Brien.

On the question "Shall the House recede from amendment 2?"

The ayes were, 64:

Alt	Egenes	McElroy	Small
Anania	Ellsworth	Mendenhall	Sorg
Andersen	Fischer, H. O.	Menefee	Stanley
Bergman	Fisher, C. R.	Miller	Stokes
Blouin	Gluba	Moffitt	Strand
Bray	Hamilton	Mollett	Stromer
Camp	Hansen	Nielsen	Strothman
Campbell	Hill	Norpel	Trowbridge
Clark	Husak	Nystrom	Uban
Cochran	Kehe	Pellett	Waugh
Curtis	Kinley	Pelton	Wells
Den Herder	Knoblauch	Pierson	Willits
Dougherty	Kruse	Rex	Winkelman
Drake	Lipsky	Roorda	Wirtz
Dunton	Logemann	Scott	Wyckoff
Edelen	McCormick	Siglin	Mr. Speaker

The nays were, 23:

Christensen	Kelly	Priebe	Skinner
Doyle	Kennedy	Radl	Taylor
Franklin	Mayberry	Rodgers	Tieden
Freeman	Middleswart	Schmeiser	Varley
Grassley	Monroe	Schroeder	Welden
Jesse	Patton	Schwieger	

Absent or not voting, 13:

Bennett	Johnston	Larson	Sargisson
Ewell	Knoke	Lawson	Schwartz
Goode	Kreamer	Millen	Shaw
Holden			

Motion prevailed and the House receded from division 2 of the amendment.

Strothman of Henry moved that the House recede from amendment 3, lines 13 through 15.

Roll call was requested by Strothman of Henry and Kruse of O'Brien.

On the question "Shall the House recede from amendment 3?"

The ayes were, 45:

Anania	Hill	Mendenhall	Sorg
Andersen	Husak	Menefee	Stanley
Bergman	Kehe	Miller	Stokes
Clark	Knoblauch	Moffitt	Strand
Curtis	Kreamer	Nielsen	Strothman
Dougherty	Kruse	Norpel	Trowbridge
Edelen	Lawson	Schwieger	Uban
Egenes	Lipsky	Scott	Varley
Ellsworth	Logemann	Shaw	Willits
Fischer, H. O.	McCormick	Siglin	Wirtz
Hamilton	McElroy	Small	Wyckoff
Hansen			

The nays were, 48:

Alt	Fisher, C. R.	Mollett	Schmeiser
Blouin	Franklin	Monroe	Schroeder
Bray	Gluba	Nystrom	Schwartz
Camp	Grassley	Patton	Skinner
Campbell	Holden	Pellett	Stromer
Christensen	Jesse	Pelton	Taylor
Cochran	Kelly	Pierson	Tieden
Den Herder	Kennedy	Priebe	Waugh
Doyle	Kinley	Radl	Welden
Drake	Knoke	Rex	Wells
Dunton	Mayberry	Rodgers	Winkelman
Ewell	Middleswart	Roorda	Mr. Speaker

Absent or not voting, 7:

Bennett	Goode	Larson	Sargisson
Freeman	Johnston	Millen	

(Motion to recede from Division 3 pending.)

Dougherty of Monroe asked for unanimous consent that he be recorded as voting "nay" on the motion to recede from amendment 3.

Objection was raised by Strothman of Henry.

(Senate File 392 pending.)

MOTION TO RECONSIDER MOTION

(Senate File 392)

We move to reconsider the motion to recede from division 3 of the House amendment to Senate File 392 messaged to the Senate on June 19, 1971.

SCHROEDER of Pottawattamie
COCHRAN of Webster

SENATE AMENDMENT CONSIDERED

Alt of Polk called up for consideration House File 574, a bill for an act relating to home rule for cities; establishing the City

Code of Iowa which provides for powers and duties of cities including the power to impose penalties by ordinance, city development, organization of city government, city elections, city legislation, city finance including the power to issue bonds, city utilities, and administrative agencies of cities; coordinating the Code of Iowa with the City Code of Iowa; repealing incompatible chapters in Title fifteen (15) and reenacting provisions from Title fifteen (15) which belong in other parts of the Code of Iowa; removing inconsistent references, incorrect provisions, limited grants of power, and restrictions based upon population; and providing for a state housing code and penalties for violation thereof, to be enforced in cooperation with city officials, amended by the Senate as follows:

- 1 Amend House File 574, as amended, passed and reprinted by the
- 2 House as follows:
- 3 1. Page 3, line 23, by striking the words "which is" and
- 4 inserting in lieu thereof the words "any of which are".
- 5 2. Page 4, line 10, by inserting after the comma the follow-
- 6 ing: "or in the case of ordinances and amendments to be
- 7 published in a city in which no newspaper is published,".
- 8 3. Page 5, line 24, by inserting after the word "employee"
- 9 the words "or the spouse or immediate family of such officer
- 10 or employee".
- 11 4. Page 6, line 21, strike the figure "1971" and insert in
- 12 lieu thereof the figure "1972".
- 13 5. Page 6, line 24, strike the figure "1973" and insert in
- 14 lieu thereof the figure "1974".
- 15 6. Page 6, line 25, strike the figures "1971" and "1973"
- 16 and inserting in lieu thereof the figures "1972" and "1974"
- 17 respectively.
- 18 7. Page 6, line 30, insert after the word "divisions" the
- 19 words "or parts of a division".
- 20 8. Page 6, line 34, strike the figure "1973" and insert in
- 21 lieu thereof the figure "1974".
- 22 9. Page 7A, line 5, strike the word "and" and insert in lieu
- 23 thereof the words ", and if".
- 24 10. Page 7A, by inserting after the period in line 10 the
- 25 following: "This grant of home rule powers does not include
- 26 the power to enact private or civil law governing civil
- 27 relationships, except as incident to an exercise of an
- 28 independent city power."
- 29 11. Page 8A by striking lines 9 through 12, inclusive, and
- 30 inserting in lieu thereof the following:
- 31 "Cities may pay, out of the general fund, annual dues
- 32 to the league of Iowa municipalities, provided that the sum
- 33 total of the annual dues collected by the league from cities
- 34 shall not exceed ninety thousand (90,000) dollars. In
- 35 addition they may pay out of the general fund the actual
- 36 expenses of delegates to the annual conference of the league.
- 37 The league shall keep and make such accounts and reports as
- 38 shall be required by the state municipal accounting depart-
- 39 ment, and the same shall be annually checked by said depart-

40 ment.”

41 12. Page 8A, by striking lines 17 through 35, inclusive, and
42 on page 8B, by striking lines 36 through 42, inclusive, and
43 inserting in lieu thereof the following:

44 “Sec. 16. A city may not dispose of an interest in real
45 property by sale, lease for a term of more than three years,
46 or gift, except in accordance with the following procedure:

47 1. The council shall set forth its proposal in a
48 resolution and shall publish notice as provided in section
49 three (3) of this Act, of the resolution and of a date, time,
50 and place of a public hearing on the proposal.

51 2. After the public hearing, the council may make a final deter-
52 mination on the proposal by resolution.

53 3. A city may not dispose of real property by gift
54 except to a governmental body for a public purpose.”

55 13. Page 8B, lines 43 and 44, by striking the words “having
56 a population of five thousand or more”.

57 14. Page 10, after line 35, insert the following new section:

58 “Sec. All railway companies shall construct and
59 repair all street improvements between the rails of their
60 tracks, and one foot outside, at their own expense, unless
61 by ordinance the railway is required to improve other portions
62 of the street, and in that case the railway shall construct and
63 repair the improvement of that part of the street specified
64 by the ordinance, and the improvement or repair must be of
65 the material and character ordered by the city, and must be
66 done at the time the remainder of the improvement is
67 constructed or repaired.

68 When an improvement is made, the company shall lay rail
69 as required by the council, and shall then keep up to grade
70 that part of the improvement they are required to construct
71 or maintain.

72 If a railway fails or refuses to comply with the order
73 of the council to construct or repair an improvement, the
74 work may be done by the city and the expense shall then be
75 assessed upon the property of the railway company, for
76 collection in the same manner as a property tax. A tax
77 assessed under this section shall also be a debt due from the
78 railway, and may be collected in an action at law in the same
79 manner as other debts.”

80 15. Page 11, line 34, by inserting after the word “wood”
81 the following: “, except as stated in section twenty (20),
82 subsection two (2), paragraph c of this Act”.

83 16. Page 13, insert after line 12 the following new
84 section:

85 “Sec. If a city has established the grade of a
86 street or alley, and any person has made improvements on
87 lots abutting the street or alley according to the
88 established grade, and afterward the grade is altered in
89 a manner to damage, injure, or diminish the value of the
90 improved property, the city shall pay to the owner of the
91 property the amount of such damage or injury.

92 If a city has opened a street or alley, and any person
93 has made improvements on lots abutting the street or alley
94 or uses such street or alley for ingress or egress, and

95 afterward the street or alley is vacated causing damage or
96 injury or loss of access, or diminishing the value of the
97 improved property, the city shall pay to the owner of the
98 property the amount of such damage or injury.”

99 17. Page 15, line 9, insert after the period the following
100 sentence:

101 “Territory comprising railroad right-of-way may be included
102 in the application without the consent of the railroad if
103 a copy of the application is mailed by certified mail to the
104 owner of the right-of-way, at least ten days prior to the
105 filing of the application with the city council.”

106 18. Page 15, by inserting after line 17 the following new
107 section:

108 “Sec. Any territory may be severed upon the unanimous
109 consent of all owners of the territory and approved by resolution
110 of the council of the city in which the territory is located.
111 The council shall provide in the resolution for the equitable
112 distribution of assets and equitable distribution and assumption
113 of liabilities of the territory as between the city and the
114 severed territory. The severance shall be completed upon filing
115 the resolution as provided in section forty-one (41), subsection
116 two (2) of this Act.”

117 19. Page 15, line 24, by striking the words “advice and
118 consent” and by inserting in lieu thereof the words “approval
119 of two-thirds vote”.

120 20. Page 15, line 28, by inserting after the word “reappoint-
121 ment” the words “, but no member shall serve more than two
122 complete six-year terms”.

123 21. Page 15, line 30, by striking the word “forty” and insert-
124 ing in lieu thereof the word “thirty”.

125 22. Page 17, by striking lines 28 and 29 and inserting in lieu
126 thereof the words “his actual and necessary expenses spent in
127 performance of committee duties.”.

128 23. Page 18, lines 30 and 31, by striking the following:
129 “The committee may consider any information relevant to the
130 proposal.”

131 24. Page 20, line 20, insert after the word “incorporation”
132 the words “or discontinuance”.

133 25. Page 20, line 21, insert after the word “territory” the
134 words “or city”.

135 26. Page 24, by inserting after line 10 the following new
136 paragraph:

137 “A city governed by the mayor-council form composed of
138 a mayor and a council consisting of two councilmen elected
139 at large, and one councilman from each of four wards, may
140 continue until the form of government is changed as provided
141 in section forty-five (45) or section fifty-two (52) of this
142 Act. While a city is thus operating with an even number of
143 councilmen, the mayor may vote to break a tie vote on motions.”

144 27. Page 31, line 33, by striking the words and comma “the
145 state library,”.

146 28. Page 33, line 13, by inserting after the word “hold” the
147 following: “general,”.

148 29. Page 33, line 14, by striking the words “All applicable”

- 149 and by striking all of lines 15, 16 and 17.
150 30. Page 35, by striking lines 28 through 30, inclusive.
151 31. Page 38, line 1, by striking the words "a measure" and
152 inserting in lieu thereof the words "an ordinance, amendment,
153 or resolution".
154 32. Page 38, insert after the period in line 2 the following:
155 "A motion to spend public funds in excess of ten thousand
156 dollars on any one project, or a motion to accept public
157 improvements and facilities upon their completion, also
158 requires an affirmative vote of not less than a majority
159 of the council members."
160 33. Page 42, by striking all of lines 21 through 27, inclusive,
161 and line 28 by striking the first word "the" and inserting in
162 lieu thereof the word "The".
163 34. Page 48, line 1, by striking all after the word "select"
164 and by striking lines 2 and 3 and inserting in lieu thereof
165 the following: "and appoint, with the approval of two-thirds
166 of the members of the senate, the city officials."
167 35. Page 48, line 5, by striking the words "by the governor"
168 and inserting in lieu thereof the following: "and appointed
169 by the governor, with the approval of two-thirds of the members
170 of the senate".
171 36. Page 48, line 18, by inserting after the word "reappointment"
172 the following: " , but no member shall be appointed to serve more
173 than two complete terms".
174 37. Page 48, line 26, by striking the word "forty" and inserting
175 in lieu thereof the word "thirty".
176 38. Page 51, line 27, by striking the words "by the council".
177 39. Page 54, line 19, by inserting after the period the
178 following: "A copy of this report must be furnished to the
179 auditor of state."
180 40. Page 55, lines 6 and 7, by striking the words "or
181 convenient".
182 41. Page 56, line 20, by striking the words "or convenient".
183 42. Page 57, lines 5 and 6, by striking the words "or convenient".
184 43. Page 57, line 10, by striking the word "water" and insert-
185 ing in lieu thereof the word "waterways".
186 44. Page 57, by inserting after line 22 the following new
187 paragraphs:
188 "..... The equipping of fire, police, sanitation, street,
189 and civil defense departments."
190 "..... The acquisition and improvement of real estate for
191 cemeteries, and the construction, reconstruction, and repair
192 of receiving vaults, mausoleums, and other cemetery facilities."
193 "..... The acquisition of ambulances and ambulance equipment."
194 45. Page 58, by striking lines 7 through 12, inclusive, and
195 relettering the remaining paragraphs.
196 46. Page 60, by striking lines 6 through 35, inclusive, and
197 page 61, by striking lines 1 through 7 and inserting in lieu
198 thereof the following:
199 "2. Before the council may institute proceedings for
200 the issuance of bonds for a general corporate purpose, it
201 shall call a special city election to vote upon the question
202 of issuing the bonds. At the election the proposition must

203 be submitted in the following form:"

204 47. Page 62, line 1, by striking the word and figure
205 "four (4)" and inserting in lieu thereof the following:
206 "three (3)".

207 48. Page 62, line 13, by striking the words and figures
208 "four (4) and five (5)" and inserting in lieu thereof the
209 following: "three (3) and four (4)".

210 49. Page 62, line 19, by striking the words "petitions
211 and".

212 50. Page 66, line 1, by inserting after the word "part"
213 the words "if such lots bear common improvements".

214 51. Page 66, line 32, by striking all after the word "streets"
215 and all of line 33 and by inserting in lieu thereof a period.

216 52. Page 72, line 18, by inserting after the word "objections"
217 the following: "pertaining to the regularity of the proceed-
218 ing and the legality of using the special assessment procedure".

219 53. Page 73, line 11, by striking the word "ten" and inserting
220 in lieu thereof the word "fifteen".

221 54. Page 76, line 13, by striking the words "within seven
222 days" and by inserting in lieu thereof the words "as soon as
223 practical".

224 55. Page 76, line 19, by striking all after the word "be"
225 and all of lines 20 through 22, inclusive, and by inserting
226 in lieu thereof the words "taken as in other equity cases."

227 56. Page 78, lines 24 and 25, by striking the words "from
228 any funds of the state not otherwise appropriated" and
229 inserting in lieu thereof the following: "as provided in
230 section three hundred seven point ten (307.10) of the
231 Code".

232 57. Page 78, line 32, by inserting after the word "pay"
233 the following: ", as provided in section three hundred
234 seven point ten (307.10) of the Code,".

235 58. Page 80, line 28, by inserting after the period the
236 following: "No special assessment against any lot shall be
237 more than ten percent in excess of the estimated cost, as
238 provided in the preliminary schedule required under section
239 one hundred twenty-five (125) of this Act."

240 59. Page 80, line 34, by inserting after the word "of"
241 the word "annual".

242 60. Page 81, line 15, by inserting after the period the
243 following: "Such notice shall also include a statement in
244 substance that assessments may be paid in full without interest
245 within thirty days after the date of certification, and there-
246 after all unpaid special assessments will draw annual interest
247 at seven percent, computed to the June first next following
248 the due dates of the respective installments, and each
249 installment will be delinquent on March thirty-first following
250 its due date, and will draw additionally the same delinquent
251 interest and the same penalties as ordinary taxes. Such
252 notice shall also state substantially that property owners
253 may elect to pay any installment semiannually in advance."

254 61. Page 82, line 6, by inserting after the word "council"
255 the words "or as reduced by the court".

256 62. Page 82, line 7, by striking the words "However,
257 special" and inserting in lieu thereof the words "Special".

- 258 63. Page 82, line 11, by striking the word "not".
259 64. Page 83, by striking lines 22 through 28, inclusive,
260 and inserting in lieu thereof the following:
261 "6. Any property owner may elect to pay one-half of
262 any annual installment of principal and interest of a
263 special assessment in advance, with the second semiannual
264 payment of ordinary taxes collected in the year preceding
265 the due date of such installment. The county treasurer
266 shall accept such partial payment of the special assess-
267 ment, and shall credit the next annual installment of
268 such special assessment to the extent of such payment,
269 and shall remit the payments to the city."
- 270 65. Page 83, line 33, by inserting after the word
271 "proceedings" the words "or legality of the assessment
272 procedure".
- 273 66. Page 84, line 8, by striking all after the word
274 "located" and all of lines 9 and 10 and by inserting
275 in lieu thereof the words "but such appeal is only to".
- 276 67. Page 89, by inserting after line 9 the following new
277 paragraph:
278 "However, if the city does not certify the assessments
279 within six months of final publication as required by part
280 four (4) of division seven (VII) of this Act, all such
281 assessments shall be null, void, and of no effect. Any
282 bonds issued with such void assessments as security shall be
283 paid by the city as they become due out of its debt service
284 as provided in section eighty-two (82) of this Act."
- 285 68. Page 98, lines 2 and 3, by striking the words "by
286 resolution".
- 287 69. Page 98, line 9, by striking the words "by resolution".
- 288 70. Page 98, line 19, by inserting after the period the
289 following: "Rates must be established by ordinance of the
290 council or by resolution of the trustees, published in the
291 same manner as an ordinance."
- 292 71. Page 98, line 22, by striking the word "resolution"
293 and inserting in lieu thereof the following: "ordinance
294 of the council or by resolution of the trustees published
295 in the same manner as an ordinance,".
- 296 72. Page 104, line 18, by inserting after the word "be"
297 the word "in".
- 298 73. Page 104 by striking line 35, and page 105 by striking
299 lines 1 through 13, inclusive.
- 300 74. Page 105, line 16, by striking the words "after the
301 award of contract has been made." and inserting in lieu thereof
302 the following: "as soon as the successful bidder is determined
303 or within thirty days whichever is sooner."
- 304 75. Page 106, line 12, by striking the following: ", con-
305 struction, or reconstruction".
- 306 76. Page 106, line 13, by striking the word "to" and insert-
307 ing in lieu thereof the word "of".
- 308 77. Page 108, by inserting after line 35 the following:
309 "In cities having more than one hundred fifty thousand
310 population the utility board shall each month prepare in
311 pamphlet form the statement herein required for the preceding
312 month, and furnish copies to the city library, the daily

313 newspapers of the city, the city clerk, and to persons who
314 apply at the office of the secretary, and the pamphlet shall
315 constitute publication as required.”

316 78. Page 109, by striking all of line 24 after the word
317 “franchise” and all of line 25, and inserting in lieu thereof
318 a period.

319 79. Page 110, lines 2 and 3, by striking the words “, collect,
320 or dispense charges” and by inserting in lieu thereof the
321 following: “and collect charges, and dispense the moneys
322 received”.

323 80. Page 110, lines 32 and 33, by striking the words “or a
324 city hospital board of trustees”.

325 81. Page 111, line 1, by striking the word “boards” and
326 inserting in lieu thereof the word “board”.

327 82. Page 111, line 5, by striking the words “or hospital”.

328 83. Page 111, line 7, by striking the words “or hospital”.

329 84. Page 111, by striking lines 8, 9, 10 and 11, inclusive.

330 85. Page 111, line 13, by striking the words “or hospital”.

331 86. Page 111, line 28, by adding the following new section:

332 “Sec. If a hospital or health care facility is
333 established by a city, the city shall by ordinance provide for
334 the election, at a general, city, or special election, of
335 three trustees, whose terms of office shall be six years;
336 but at the first election, three shall be elected and hold
337 their office, respectively, for two, four, and six years,
338 and they shall by lot determine their respective terms. A
339 board of trustees elected pursuant to this section shall
340 serve as the sole and only board of trustees for any and
341 all institutions established by a city as provided for
342 in this section.

343 Cities maintaining an institution as provided for in
344 this section which have a board of trustees consisting of
345 three members may by ordinance increase the number of
346 members to five and provide for the appointment of one
347 of the additional members until the next succeeding general
348 or city election, and for the appointment of the other
349 additional member until the second succeeding general or
350 city election. Thereafter, the terms of office of such
351 additional members shall be six years.

352 The trustees shall within ten days after their election
353 qualify by taking the oath of office, and organize as a
354 board by the election of one of their number as chairman
355 and one as secretary, but no bond shall be required of
356 them.

357 The official serving as treasurer of the city shall be
358 the treasurer of the board of trustees, and shall receive
359 and disburse all funds under the control of the board as
360 ordered by it, but shall receive no additional compensation
361 for his services. The treasurer shall give bond in a form
362 and amount as determined by the board in its discretion.

363 No trustee shall receive any compensation for his services
364 performed, but he may receive reimbursement for any cash
365 expenses actually made for personal expenses incurred as
366 trustee, but an itemized statement of all expenses and
367 moneys paid out shall be made under oath by each of the

368 trustees and filed with the secretary and allowed only
369 by the affirmative vote of the full board.

370 The board of trustees shall be vested with authority
371 to provide for the management, control, and government of
372 the city hospital or health care facility established as
373 permitted by this section, and shall provide all needed
374 rules and regulations for the economic conduct thereof
375 and shall annually prepare a condensed statement of the
376 total receipts and expenditures for the hospital or health
377 care facility and cause the same to be published in a
378 newspaper of general circulation in the city in which the
379 hospital or health care facility is located. In the
380 management of the hospital or health care facility no
381 discrimination shall be made against practitioners of any
382 school of medicine recognized by the laws of the state.

383 As a part of the board's authority it may accept
384 property by gift, devise, bequest or otherwise; and,
385 if the board deems it advisable, may, at public sale, sell
386 or exchange any property so accepted upon a concurring
387 vote of a majority of all members of the board of trustees,
388 and apply the proceeds thereof, or property received in
389 exchange therefor, to any legitimate hospital or health
390 care facility purpose.

391 The trustees may in their discretion establish a fund
392 for depreciation as a separate fund. Said funds may be
393 invested in United States government bonds and when so
394 invested the accumulation of interest on the bonds so
395 purchased shall be used for the purposes of the depreciation
396 fund; an investment when so made shall remain in United
397 States government bonds until such time as in the judgment
398 of the board of trustees it is deemed advisable to use the
399 funds for hospital or health care facility purposes.

400 Boards of trustees of institutions provided for in
401 this section are granted all of the powers and duties necessary
402 for the management, control and government of the institutions,
403 specifically including but not limited to any applicable
404 powers and duties granted boards of trustees under other
405 provisions of the Code relating to hospitals, nursing homes,
406 and custodial homes irrespective of the chapter of the Code
407 under which such institutions are established, organized,
408 operated or maintained."

409 87. Page 118, by inserting after line 27 the following new
410 section:

411 "Sec. Section twenty-six point six (26.6),
412 Code 1971, as amended by chapter one hundred sixty-five
413 (165), section forty-five (45), Acts of the Sixty-fourth
414 General Assembly, First Session, is amended to read as
415 follows:

416 26.6 POPULATION OF COUNTIES, TOWNSHIPS, CITIES,
417 AND TOWNS. Whenever the population of any county, town-
418 ship, city, or town is referred to in any law of this
419 state, it shall be determined by the last *preceding*
420 certified[, or certified and published, official] *federal*
421 census unless otherwise provided. [However, the popula-

422 tion figure disclosed for any city or town as the result
 423 of a special federal census as modified as the result
 424 of consolidation or annexation in the manner provided
 425 in sections 312.3, and 123.50, shall be considered for
 426 no other purposes than the application of sections 123.50,
 427 312.3 and the provisions of this division.] Whenever a special
 428 federal census is hereafter taken by any city [or town], the
 429 mayor and council shall certify the [said] census as soon as
 430 possible to the secretary of state and to the treasurer of
 431 state as otherwise herein provided, and failing to do so,
 432 the treasurer of state shall, after six months from the date
 433 of [said] *the* special census, turn over such moneys as
 434 authorized by sections 123.50 [and], 312.3 and the provisions
 435 of chapter 165, division IV, Acts of the Sixty-fourth
 436 General Assembly, First Session, to the general fund of
 437 the state, and continue to do so until such time as
 438 certification by [said] *the* mayor and council is made, or
 439 until the next decennial federal census. If there be a
 440 difference between the original certified record in the
 441 office of the secretary of state and the published census
 442 the former shall prevail."

443 88. Page 118, line 33, by striking the word "convenient"
 444 and inserting in lieu thereof the word "necessary".

445 89. Page 120, line 30, by striking the words "or town,"
 446 and inserting the words "[or town,]".

447 90. Page 121, line 5, by striking the words ", city or
 448 town" and inserting in lieu thereof the following:
 449 "[city or town] or city".

450 91. Page 122, line 33, by striking the word "five" and
 451 by inserting in lieu thereof the word "three".

452 92. Page 123, line 31, by adding thereafter the following
 453 new subsection:

454 ".... All such election precincts shall be established
 455 within the boundaries of a representative district as
 456 established by law."

457 93. Page 123, by striking lines 34 and 35 and page 124 by
 458 striking lines 1 through 8, inclusive, and inserting in lieu
 459 thereof the following:

460 "as amended by chapter one hundred (100), section one (1),
 461 Acts of the Sixty-fourth General Assembly, First Session,
 462 is amended to read as follows:

463 49.7 PORTIONS OF TOWNSHIPS COMBINED. No precinct
 464 shall contain different townships or parts thereof, except
 465 for other than city elections where the board of supervisors
 466 has combined two or more contiguous townships into one
 467 election precinct or where, by reason of the existence of
 468 a village or [incorporated town] city of less than two thousand
 469 population on or near a township line, the board of supervisors
 470 may create a voting precinct in compact form, from [said town]
 471 the city or village, and may include [therein] territory
 472 adjoining and adjacent to [said] the village or [town] city,
 473 which is situated in two or more townships."

474 94. Page 124, by striking lines 9 through 13, inclusive.

475 95. Page 135, by striking lines 9 through 14, inclusive and
 476 inserting in lieu thereof the following:

477 "3. Payment of all or part of the cost of construction
 478 and maintenance of bridges in cities [and towns] having a
 479 population of eight thousand or less and all or part of
 480 the cost of construction of roads located within [an
 481 incorporated town] a city, of less than four hundred popu-
 482 lation, which lead to state parks."

483 96. Page 139, line 2, by striking the words "the drug
 484 and narcotic laws" and inserting in lieu thereof the
 485 following: "[the drug and narcotic laws] *Senate File one (1),*
 486 *Acts of the Sixty-fourth General Assembly, First Session,*
 487 *and other laws relating to controlled substances".*

488 97. Page 139, by striking lines 14 through 35, inclusive,
 489 and page 140 by striking lines 1 and 2.

490 98. Page 151, line 27, by striking the word "convenient"
 491 and inserting in lieu thereof the word "necessary".

492 99. Page 154, line 1, by striking the word "convenient"
 493 and inserting in lieu thereof the word "necessary".

494 100. Page 162, line 31, by striking the word "legal" and
 495 inserting in lieu thereof the word "qualified".

496 101. Page 166, line 32, by adding after the period the
 497 following: "However, any interest derived from bonds
 498 issued by the authority shall be subject to taxation."

499 102. Page 170A, line 18, by striking the word "qualified"
 500 and inserting in lieu thereof the following: "[legal] *qualified*".

501 103. Page 175, by striking lines 24 through 35, inclusive,
 502 and page 176A, by striking lines 1 through 4, inclusive,
 503 and inserting in lieu thereof the following:
 504 "teen (358B.16), Code 1971, as amended by chapter two
 505 hundred five (205), section one (1), Acts of the Sixty-
 506 fourth General Assembly, First Session, is amended to read
 507 as follows:

508 358B.16 WITHDRAWAL OF CITY [OR TOWN] FROM DIS-
 TRICT.

509 [Whenever any incorporated] A city [or town, having maintained
 510 a library pursuant to the provisions of chapter 378 for
 511 at least ten years and having levied a tax of its own for
 512 the same purpose, shall decide to] may withdraw from the
 513 county library district[, it may do so] by giving notice by
 514 certified mail to the board of library trustees of [said] the
 515 county library and the county auditor prior to July 10,
 516 [by the governing body of said incorporated city or town,
 517 of its withdrawal from the county library district,] and
 518 on that date shall cease to be a part of or included in [said]
 519 the county library district."

520 104. Page 182, line 4, by striking the first comma following
 521 the figure "(420.14)" and inserting in lieu thereof the word
 522 "through".

523 105. Page 188, by striking lines 3 through 17, inclusive, and
 524 inserting in lieu thereof the following:

525 "(453.9), unnumbered paragraph one (1), Code 1971, as amended
 526 by chapter two hundred twenty-one (221), section three (3),
 527 Acts of the Sixty-fourth General Assembly, First Session,
 528 is amended to read as follows:

529 453.9 INVESTMENT OF SINKING FUNDS. The governing
 530 council or board who by law are authorized to direct the

531 depositing of funds shall be authorized to direct the
532 treasurer or other designated financial officer to invest
533 any fund not an active fund needed for current use and
534 which is being accumulated as a sinking fund for a definite
535 purpose, the interest on which is used for the same purpose,
536 in savings accounts in banks, in the certificates or warrants
537 provided by section 454.19, or make time deposits of such funds
538 as provided in this chapter and receive time certificates of
539 deposit therefor, or in bonds or other evidences of indebted-
540 ness issued, assumed, or guaranteed by the United States of
541 America, or by any agency or instrumentality thereof, or in
542 local certificates or warrants issued by any municipality
543 or school district within the county, or in municipal or
544 school district bonds which constitute a general liability,
545 and the treasurer or other officer when so directed shall so
546 invest such fund."

547 106. Page 189, by striking line 18 and inserting in lieu thereof
548 the following:

549 "Upon all cities for public purposes which are reasonable
550 and necessary as an incident to the powers and duties conferred
551 upon cities."

552 107. Page 191, line 17, by striking the word "Whenever" and
553 inserting in lieu thereof the following: "Except as other-
554 wise provided by chapter two hundred sixteen (216), Acts
555 of the Sixty-fourth General Assembly, First Session,
556 whenever".

557 108. Page 191, line 32, by inserting after the word "thereof"
558 the following: ", except as otherwise provided by chapter
559 two hundred sixteen (216), Acts of the Sixty-fourth General
560 Assembly, First Session".

561 109. Further amend House File 574 by renumbering sections
562 and correcting internal references to conform with this
563 amendment.

Fischer of Grundy offered the following amendment to the
Senate amendment filed by him and moved its adoption:

Amend the Senate amendment to House File 574, as
printed on page 108 of the Journal of the House for
January 20, 1972, as follows:

Line 14, insert after the figure "1974" the words
"; however, no part of this Act shall take effect in
a city in any event unless first approved by the
qualified voters of the city at a special election held
for that purpose."

The amendment lost.

Alt of Polk moved that the House concur in the Senate amend-
ments.

A non-record roll call was requested.

The ayes were 87, nays 4.

The motion prevailed and the House concurred in the Senate amendments.

Alt of Polk moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its repassage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 574)

The ayes were, 91:

Alt	Gluba	Menefee	Scott
Anania	Grassley	Middleswart	Shaw
Andersen	Hamilton	Millen	Siglin
Bennett	Hansen	Miller	Skinner
Bergman	Hill	Moffitt	Small
Blouin	Holden	Mollett	Sorg
Bray	Husak	Monroe	Stanley
Camp	Jesse	Nielsen	Stokes
Campbell	Kelly	Norpel	Strand
Christensen	Kennedy	Nystrom	Stromer
Clark	Kinley	Patton	Strothman
Cochran	Knoblauch	Pellett	Tieden
Curtis	Knoke	Pelton	Trowbridge
Den Herder	Kreamer	Pierson	Uban
Dougherty	Kruse	Priebe	Varley
Doyle	Larson	Radl	Waugh
Drake	Lawson	Rex	Wells
Dunton	Lipsky	Rodgers	Willits
Edelen	Logemann	Roorda	Winkelman
Egenes	Mayberry	Schmeiser	Wirtz
Ellsworth	McCormick	Schroeder	Wyckoff
Ewell	McElroy	Schwartz	Mr. Speaker
Franklin	Mendenhall	Schwieger	

The nays were, 4:

Fischer, H. O.	Kehe	Taylor	Welden
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Absent or not voting, 5:

Fisher, C. R.	Goode	Johnston	Sargisson
Freeman			

The bill having received a constitutional majority was declared to have repassed the House and the title was agreed to.

HOUSE FILE 472 RECONSIDERED

Hansen of Black Hawk called up for consideration his motion to reconsider and moved to reconsider the vote by which **House File 472**, a bill for an act relating to local boards of health, passed the House on January 21, 1972.

A non-record roll call was requested.

The ayes were 79, nays 6.

The motion prevailed.

Hansen of Black Hawk moved that the vote by which House File 472 was placed on its last reading be reconsidered, and that the vote by which the Knoke amendment found on pages 125 through 130 of the House Journal and was adopted on January 21, 1972, be reconsidered.

The motion prevailed.

Hansen of Black Hawk offered the following amendment to the Knoke amendment and moved its adoption:

Amend the Knoke, et al., amendment to House File 472 by striking lines 86 through 96 and inserting in lieu thereof the following:

“of his authority and purpose in the case of vacated or abandoned structures or vehicles. The”

The amendment to the amendment was adopted.

Hansen of Black Hawk moved the adoption of the Knoke amendment as amended.

The amendment as amended was adopted.

Lawson of Cerro Gordo moved that the bill be read a last time now and placed upon its repassage which motion prevailed and the bill was read a last time.

On the question “Shall the bill pass?” (H.F. 472)

The ayes were, 58:

Alt	Holden	Moffitt	Sorg
Andersen	Kehe	Mollett	Stanley
Camp	Kelly	Monroe	Stokes
Campbell	Knoblauch	Nielsen	Strand
Clark	Knoke	Norpel	Stromer
Curtis	Kreamer	Nystrom	Strothman
Drake	Kruse	Pellett	Tieden
Edelen	Lawson	Pelton	Trowbridge
Egenes	Logemann	Pierson	Varley
Ellsworth	McCormick	Rex	Welden
Ewell	McElroy	Scott	Wells
Fisher, C. R.	Mendenhall	Shaw	Winkelman
Gluba	Menefee	Siglin	Wirtz
Hamilton	Millen	Small	Mr. Speaker
Hansen	Miller		

The nays were, 33:

Anania	Dunton	Kinley	Schmeiser
Bergman	Fischer, H. O.	Larson	Schwartz
Blouin	Franklin	Mayberry	Schwieger
Bray	Grassley	Patton	Skinner
Christensen	Hill	Priebe	Taylor
Cochran	Husak	Radl	Uban
Den Herder	Jesse	Rodgers	Willits
Dougherty	Kennedy	Roorda	Wyckoff
Doyle			

Absent or not voting, 9:

Bennett	Johnston	Middleswart	Schroeder
Freeman	Lipsky	Sargisson	Waugh
Goode			

The bill having received a constitutional majority was declared to have repassed the House and the title was agreed to.

REPORT OF COMMITTEE

Holden of Scott, from the committee on social services, submitted the following report:

MR. SPEAKER: Your committee on social services, to whom was referred **House File 556**, a bill for an act relating to actions arising out of the rendition of services under the Uniform Anatomical Gift Act, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same **do pass**.

HOLDEN of Scott, Chairman

AMENDMENTS FILED

- 1 Amend House File 465 as follows:
- 2 1. Page 1, line 13, by striking the word
- 3 "seventy" and inserting in lieu thereof "seventy-
- 4 five".
- 5 2. Page 1, line 17, by striking the word "shall"
- 6 and inserting in lieu thereof the word "may".

SCHROEDER of Pottawattamie

- 1 Amend the committee on environmental preservation
- 2 amendment filed January 21, 1972, to Senate File 85
- 3 as amended, passed and reprinted by the Senate, as
- 4 follows:
- 5 1. Line 199, by striking the period and adding:
- 6 " , two hundred six A (206A)".

WAUGH of Monona
PIERSON of Mahaska

- 1 Amend the committee on environmental preservation
- 2 amendment to Senate File 85 filed January 21, 1972,
- 3 as follows:
- 4 1. By striking lines 15 through 44, inclusive,
- 5 and by inserting in lieu thereof the following:
- 6 "3. Pages 3A and 3B, by striking lines 24 through
- 7 48, inclusive, and on page 4, by striking lines 1
- 8 through 18, inclusive, and inserting in lieu
- 9 thereof the following:
- 10 '1. The air quality commission shall have seven
- 11 members appointed by the governor with consent
- 12 of two-thirds of the Senate. Membership shall
- 13 consist of:
- 14 a. One representative of industry,

- 15 b. One owner-operator of a farm,
16 c. One person representing the League of Iowa
17 Municipalities,
18 d. One representative of labor,
19 e. Three electors of the state.
20 2. The water quality commission shall have seven
21 members appointed by the governor with consent of
22 two-thirds of the senate. Membership shall consist
23 of:
24 a. One representative of industry,
25 b. One owner-operator of a farm,
26 c. One person representing the League of Iowa
27 Municipalities,
28 d. One representative of labor,
29 e. Three electors of the state.
30 3. The chemical technology commission shall have
31 seven members appointed by the governor with
32 consent of two-thirds of the Senate. Membership
33 shall consist of:
34 a. One representative of industry, who is
35 knowledgeable in the use of chemicals,
36 b. One person representing the League of Iowa
37 Municipalities,
38 c. One farm owner-operator experienced in the
39 application of chemicals,
40 d. One representative of a firm actively engaged
41 in the manufacture or formulation of agricultural
42 chemicals,
43 e. Three electors of the state.
44 4. The solid waste disposal commission shall have
45 seven members appointed by the governor with consent
46 of two-thirds of the senate. Membership shall consist
47 of:
48 a. One person actively engaged in the
49 operation of a solid waste disposal site,
50 b. One representative of the Iowa State Associa-
51 tion of Counties,
52 c. One person representing the League of Iowa
53 Municipalities,
54 d. One person representing solid waste collectors,
55 e. Three electors of the state.'"
56 4. Page 4 by striking lines 19 through 30 inclusive,
57 and inserting in lieu thereof the following:
58 "Any commission member may be removed by the gover-
59 nor for cause. Members of the commissions shall be
60 appointed by the governor for overlapping terms of
61 four years. Three members shall be appointed for
62 terms to expire two years after appointment. Four
63 members shall be appointed for terms to expire four
64 years after appointment. The term of office of each
65 member of the commissions shall commence on the first
66 day of July of the year of the appointment. Vacan-
67 cies occurring during a term of office shall be
68 filled by appointment for the balance of the unex-
69 pired term subject to confirmation by two-thirds of

70 the senate. No member of any of the commissions
 71 shall be a full-time public employee."

SIGLIN of Lucas
 COCHRAN of Webster
 SCOTT of Cerro Gordo
 CAMPBELL of Washington
 FISHER of Greene
 PRIEBE of Kossuth
 MILLER of Marshall
 EDELEN of Emmet

1 Amend Senate File 85, as amended and passed by the
 2 Senate and reprinted, as follows:

3 1. Page 44A, by inserting after line 17 the following
 4 sections:

5 Sec. 84. As used in sections eighty-five (85) through
 6 ninety-three (93) of this Act, unless the context other-
 7 wise requires:

8 1. "Radiation" means any ionizing radiation
 9 including, but not limited to, high-speed electrons,
 10 neutrons, protons and other nuclear particles, but not
 11 sound waves.

12 2. "Radioactive material" means any solid, liquid,
 13 or gaseous material which emits radiation spontaneously.

14 3. "Nuclear waste disposal site" means all facilities
 15 and appurtenances including all real and personal
 16 property connected with such facilities, which are
 17 acquired, purchased, constructed, reconstructed,
 18 equipped, improved, extended, maintained, or operated
 19 to facilitate the final disposition of radioactive waste
 20 without creating a significant hazard to the public
 21 health or safety, and which are approved by the executive
 22 director.

23 4. "Commission" means solid waste disposal commission
 24 of the department.

25 Sec. 85. The department shall be the agency of the
 26 state to establish policy for the transportation, stor-
 27 age, handling, and disposal of radioactive material
 28 for the purpose of protecting the public health and
 29 safety.

30 Sec. 86. The commission shall provide, by rule and
 31 regulation, for the proper methods of transporting,
 32 storage, and handling of radioactive material. In
 33 adopting such rules and regulations, the commission
 34 shall consider the methods and techniques used by the
 35 United States atomic energy commission and radiation
 36 control agencies of other states for the regulation
 37 of the transporting, handling, and storage of radioactive
 38 material. The commission shall also consult with the
 39 department of public safety in the development of rules
 40 and regulations for the transporting of radioactive
 41 material on the public roads of this state. All rules
 42 and regulations adopted by the commission under this
 43 section shall be subject to the provisions of chapter

44 seventeen A (17A) of the Code and section seven (7),
45 subsection four (4) of this Act.

46 Sec. 87. The commission may approve or prohibit
47 the establishment and operation of a nuclear waste
48 disposal site in this state by a private person. In
49 determining whether to grant or deny a license to
50 establish and operate a nuclear waste disposal site,
51 the commission shall consider the need for a nuclear
52 waste disposal site and the existing physical conditions,
53 topography, soils and geology, climate, transportation,
54 and land use at the proposed site. If the commission
55 decides to issue a license to establish and operate
56 a nuclear waste disposal site, it shall establish, by
57 rule and regulation, standards and procedures for the
58 safe operation and maintenance of the proposed site.
59 The commission shall also require the licensee to provide
60 a sufficient surety bond or other financial commitment
61 to insure the perpetual maintenance and monitoring of
62 the nuclear waste disposal site.

63 All rules and regulations adopted by the commission
64 under this section shall be subject to the provisions
65 of chapter seventeen A (17A) of the Code and section
66 seven (7), subsection four (4) of this Act.

67 Sec. 88. The executive director:

68 1. Shall enforce any rules and regulations adopted
69 under the provisions of sections eighty-four (84) through
70 ninety-two (92) of this Act, and furnish a copy of such
71 rules and regulations to each applicant for any license
72 required under sections eighty-four (84) through ninety-
73 three (93) of this Act.

74 2. May license any person transporting, handling,
75 or storing any radioactive material under rules and
76 regulations adopted by the commission.

77 3. May require the maintenance of records relating
78 to the receipts, storage, transfer, or disposal of radio-
79 active material.

80 4. May inspect any nuclear waste disposal site or
81 other facilities relating to the transportation, storage
82 and handling of radioactive materials. The executive
83 director may enter at any reasonable time upon any
84 private or public property for the purpose of determining
85 whether or not a radiation hazard exists, or whether
86 there is compliance with, or violation of, any provisions
87 of sections eighty-four (84) through ninety-two (92)
88 of this Act, or any rules or regulations adopted under
89 sections eighty-four (84) through ninety-three (93)
90 of this Act.

91 5. May issue, modify, or revoke orders in accordance
92 with the provisions of sections eighty-four (84) through
93 ninety-three (93) of this Act or the rules and
94 regulations adopted under sections eighty-four (84)
95 through ninety-two (92) of this Act.

96 6. May require the submission of plans and speci-
97 fications for the design, construction, maintenance, and
98 monitoring of nuclear waste disposal sites for review

99 and appraisal.

100 Sec. 89. If the executive director determines that
101 there are reasonable grounds to believe a violation
102 of sections eighty-four (84) through ninety-three (93)
103 of this Act or of the rules and regulations issued under
104 sections eighty-four (84) through ninety-three (93)
105 of this Act has occurred, he shall give written notice
106 by certified mail to the alleged violator specifying
107 the alleged violations involved and specifying a period
108 of time in which to eliminate the violation. If the
109 alleged violator fails to comply within such specified
110 time, the executive director shall schedule a hearing
111 and give written notice to the alleged violator by
112 certified mail. In connection with the hearings, the
113 executive director may issue subpoenas requiring the
114 attendance of witnesses and the production of records
115 pertinent to such hearing. On the basis of the findings,
116 the executive director shall issue a final order which
117 shall be forwarded to the alleged violator by certified
118 mail.

119 Sec. 90. Whenever the executive director finds that
120 an emergency exists requiring immediate action to protect
121 the public health and safety, he may, without notice
122 or hearing, issue an emergency order reciting that an
123 emergency exists and requiring that such action be taken
124 as he deems necessary to meet the emergency. The order
125 may be issued orally to the person whose operation
126 constitutes the emergency by the executive director
127 and confirmed by a copy of such order to be sent by
128 certified mail within twenty-four hours after the
129 issuance of the oral order. The emergency order shall
130 be effective immediately. Any person receiving an
131 emergency order may request a hearing before the
132 commission within thirty days following the receipt
133 of the order. The commission shall schedule a hearing
134 within fourteen days after receipt of the request for
135 a hearing and give written notice to the alleged vio-
136 lator by certified mail. The commission may also
137 schedule a hearing in the absence of a request by the
138 alleged violator. On the basis of the findings, the
139 commission shall issue a final order which shall be
140 forwarded to the alleged violator by certified mail.

141 The executive director may, if an emergency exists,
142 impound or order the impounding of any radioactive
143 material in the possession of any person who is not
144 equipped to observe, or fails to observe, the provisions
145 of sections eighty-four (84) through ninety-three (93)
146 of this Act or any rules or regulations adopted under
147 sections eighty-four (84) through ninety-three (93)
148 of this Act.

149 Sec. 91. An appeal may be taken from any final order
150 of the commission to the district court of the county
151 in which the alleged violation was committed or such
152 final order was entered. Notice of appeal from a final
153 order shall be served upon the executive director by

154 certified mail. Failure to serve the notice of appeal
 155 within thirty days after receipt of the final order
 156 shall operate as a waiver of the right to appeal. A
 157 final order by the commission shall not be stayed by
 158 an appeal except by order of the district court after
 159 hearing for good cause shown by the alleged violator.
 160 The hearing on appeal shall be tried as a suit in equity.
 161 The court may receive additional testimony and evidence
 162 and may affirm, modify, or reverse the final order of
 163 the commission.

164 Sec. 92. Whenever, in the judgment of the executive
 165 director, any person has engaged in or is about to
 166 engage in any acts or practices which constitute or
 167 will constitute a violation of the provisions of sections
 168 eighty-four (84) through ninety-three (93) of this Act,
 169 or any rule, regulation, or order promulgated under
 170 sections eighty-four (84) through ninety-three (93)
 171 of this Act, he may request the attorney general to
 172 make application in the name of the state to the district
 173 court of the county in which such acts or practices
 174 may be performed, for an order enjoining such acts or
 175 practices notwithstanding the existence or pursuit of
 176 any other remedy, and the attorney general shall make
 177 such application.

178 Sec. 93. Any person who violates any provisions of
 179 sections eighty-four (84) through ninety-three (93)
 180 of this Act or rules or regulations adopted under
 181 sections eighty-four (84) through ninety-three (93)
 182 of this Act, or any order of the commission or executive
 183 director issued pursuant to sections eighty-four (84)
 184 through ninety-three (93) of this Act, shall be punished
 185 by a fine of not more than five hundred dollars or by
 186 imprisonment not to exceed six months or punished by
 187 both such fine and imprisonment and, in addition, he
 188 may be enjoined from continuing such violation. Each
 189 day of continued violation after notice that a violation
 190 is being committed shall constitute a separate violation.

191 2. By renumbering sections and subsections and
 192 internal references to sections and subsections to
 193 conform to this amendment.

CAMPBELL of Washington

1 Amend the committee on environmental preservation
 2 amendment filed January 21, 1972, to Senate File 85,
 3 as amended, passed and reprinted by the Senate, as
 4 follows:

- 5 1. By striking all of lines 88 through 96.
- 6 2. By striking all of lines 131 through 159.
- 7 3. By adding the following new amendment:
- 8 26. Page 3A, by striking from lines 19 and 20
- 9 the words, "the chemical technology commission,".
- 10 4. Renumber.

WAUGH of Monona
 PIERSON of Mahaska

1 Amend Senate File 85 as passed and reprinted
 2 by the Senate, page 45, line 14, by inserting
 3 after the word "gathering" the following words
 4 ", or may suspend for not more than seven days
 5 the driver's license of any driver who is convicted
 6 of, or is responsible for, discarding litter from
 7 a motor vehicle."

MILLER of Marshall
 CAMPBELL of Washington

1 Amend the committee on environmental preserva-
 2 tion amendment, filed January 21, 1972, to Senate
 3 File 85, as amended and passed by the Senate and
 4 reprinted, by striking lines 67 and 68 and inserting
 5 after line 130 the following paragraph:
 6 "The commission shall establish, modify or repeal
 7 rules and regulations governing the labeling of
 8 detergents. Any rules and regulations shall be
 9 formulated to provide potential purchasers with
 10 accurate information concerning the percent phosphorus
 11 or phosphate in the formula, the weight in grams of
 12 phosphorus or phosphate per recommended use level
 13 and the ingredients in the package."

BLOUIN of Dubuque

1 Amend the committee on environmental perserva-
 2 tion amendment, filed January 21, 1972, to Senate
 3 File 85, as amended and passed by the Senate and
 4 reprinted, by striking lines 67 and 68 and inserting
 5 after line 130 the following paragraph:
 6 "The commission shall establish, modify or
 7 repeal rules and regulations governing the labeling
 8 of detergents. Any rules and regulations shall be
 9 formulated to provide potential purchasers with
 10 accurate information concerning the percent phos-
 11 phorus and phosphate in the formula, the weight in
 12 grams of phosphorus and phosphate per recommended
 13 use level and packaged ingredients which the commis-
 14 sion may deem potentially harmful to the environment."

BLOUIN of Dubuque

1 Amend the committee on environmental preservation
 2 amendment to Senate File 85, filed January 21, 1972,
 3 line 26, by inserting after the word "appointed" the
 4 following:
 5 " , except that three of the appointees to the
 6 chemical technology commission shall be representatives
 7 of agricultural business with at least one of these
 8 three appointees being a farm owner-operator".

LAWSON of Cerro Gordo

1 Amend Senate File 470, as amended and passed by
 2 the Senate, as follows:
 3 Page 1, line 17, by inserting after the word

4 "shall" the following:

5 ", after having received sealed bids,".

KREAMER of Polk

On motion by Varley of Adair, the House adjourned until
9:00 a.m., Thursday, January 27, 1972.

JOURNAL OF THE HOUSE

Eighteenth Calendar Day—Fourteenth Session Day

HALL OF THE HOUSE OF REPRESENTATIVES
DES MOINES, IOWA, THURSDAY, JANUARY 27, 1972

The House met pursuant to adjournment, Speaker Harbor in the chair.

The following prayer was offered by Rt. Reverend Walter C. Righter, bishop of the Episcopal Diocese of Iowa:

“Almighty God, the author of law and order, of freedom and responsibility, of life itself; we pray Thee to keep us all accountable and responsible not only to each other, but to Thou. Help us to be careful not only for a man’s rights, but for his needs and for his faith.

Guide these Thy servants as they deliberate, debate, and decide matters which have to do with the health and spirit of our society. Help them, through your grace to seek not only what is popular with the people, but with courage to seek what may be unpopular but necessary for the sake of the people of all ages of the State of Iowa.

Help, we pray Thee, these servants and representatives of the people to know your will, or to seek it if they do not know it, as they vote again and again for their constituents, for themselves, and for your ways among men. Let their efforts result in judgment that runs as the waters and righteousness as a mighty stream, through our Lord Jesus Christ. Amen.”

The Journal of Wednesday, January 26, 1972, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. J. P. Gallagher, Oelwein, Iowa.

PRESENTATION OF VISITORS

Rodgers of Dallas presented to the House Miss Siri Dale, a Rotary International Exchange Student from Norway, who is attending school at the Adel Community School, Adel, Iowa.

The Speaker announced that the following visitors were present in the House chamber:

Thirty-five students from Western Hills Elementary School, West Des Moines, Iowa, accompanied by their instructor, Miss Glotfeldry. By Alt of Polk.

Twelve members of the Arnold Air Society Air Force ROTC Cadets and their Women’s Auxiliary Angel Flight from Iowa State University, Ames, Iowa. By Larson of Story.

Thirty students from Wright Elementary School, Des Moines, Iowa, accompanied by their instructor, Mrs. Myers. By Anania of Polk.

PETITION FILED

The following petition was received and placed on file:

By Scott of Cerro Gordo, from the following school board members: Seven members from the Joint County School System of Cerro Gordo, Floyd, Mitchell and Worth Counties, Mason City, Iowa; seven members from Northwood-Kensett Community School District, Northwood, Iowa; seven members of St. Ansgar Community School District, St. Ansgar, Iowa; and six members of Osage Community School District, Osage, Iowa, favoring the abolishment of the present county and joint county school systems in Iowa and replacing them simultaneously with a statewide system of from twelve to sixteen educational service units authorized to provide services to local schools.

ADOPTION OF COMMITTEE REPORT

The Chief Clerk announced the adoption of report of committee on House File 556, under Rule 35.

PROOFS OF PUBLICATION

Published copy of House File 1074 and verified proof of publication of said bill in the Boone News-Republican, Boone, Iowa, and the Ames Daily Tribune, Ames, Iowa, on December 31, 1971, was filed with the Chief Clerk of the House prior to the time said bill was placed on passage in the House.

Published copy of House File 1075 and verified proof of publication of said bill in The Stuart Herald, Stuart, Iowa, on January 13, 1972, was filed with the Chief Clerk of the House prior to the time said bill was placed on passage in the House.

WILLIAM R. KENDRICK, Chief Clerk
House of Representatives

INTRODUCTION OF BILLS

House File 1074, by Nystrom, a bill for an act to legalize and validate proceedings of the Board of Directors of the United Community School District in the Counties of Boone and Story, State of Iowa, authorizing and providing for the sale and issuance of School Building Bonds and for the levy of taxes for the payment of said bonds and declaring the bonds issued pursuant to said proceedings to be enforceable obligations of said School District.

Read first time and referred to committee on judiciary.

House File 1075, by Varley, a bill for an act to legalize and validate the proceedings of the Town Council of the Town of Stuart, in the Counties of Adair and Guthrie, State of Iowa, in connection with the award of a contract for the construction of a project designated as the "1971 Stuart, Iowa, Sanitary Sewer Improvement Project".

Read first time and referred to committee on **judiciary**.

House File 1076, by Nystrom (Van Drie, Tapscott, Doderer, Neu, Briles and Walsh), a bill for an act to provide overtime pay for Iowa highway commission employees.

Read first time and referred to committee on **transportation**.

House File 1077, by Holden, a bill for an act relating to advertisement of cigarettes.

Read first time and referred to committee on **law enforcement**.

House File 1078, by Pierson, a bill for an act relating to the placing of permit numbers on containers of agricultural seeds.

Read first time and referred to committee on **agriculture**.

House File 1079, by Lipsky, a bill for an act authorizing school districts to provide nursery school programs for certain children.

Read first time and referred to committee on **schools**.

House File 1080, by Kreamer (Conklin), a bill for an act changing the date of school board elections to coincide with municipal elections and changing other dates to conform therewith.

Read first time and referred to committee on **schools**.

House File 1081, by Scott, a bill for an act relating to the publishing of the salaries of school district employees.

Read first time and referred to committee on **schools**.

House File 1082, by Lipsky and Christensen, a bill for an act relating to a course for persons convicted of operating a motor vehicle while under the influence of an alcoholic beverage, providing for the suspension of drivers licenses, providing for fees and providing a penalty.

Read first time and referred to committee on **law enforcement**.

House File 1083, by Scott, a bill for an act relating to the definition of casual sales.

Read first time and referred to committee on **ways and means**.

INTRODUCTION OF JOINT RESOLUTIONS

House Joint Resolution 1002, by Hill, Knoke, Schwieger, Kreamer, Pelton, Clark, Hansen, and Shaw, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the age qualification of members of the General Assembly.

Read first time and referred to committee on constitutional amendments and reapportionment.

House Joint Resolution 1003, by Ewell, Gluba, Blouin, and Small, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the age qualification of the Governor, Lieutenant Governor, and members of the General Assembly.

Read first time and referred to committee on constitutional amendments and reapportionment.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File 1019, a bill for an act relating to violations of the Iowa Commercial Feed Law.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File 1023, a bill for an act relating to county motor vehicle registration fees.

CARROLL A. LANE, Secretary

MOTION TO RECONSIDER MOTION

(Senate File 392)

I move to reconsider the vote to recede from division 2 of the House amendment to Senate File 392 messaged to the House on June 19, 1971.

STROMER of Hancock

HOUSE CONCURRENT RESOLUTION 104

By Den Herder, Dunton, Holden, Nielsen and Radl

Whereas, legislation being considered by the General Assembly of the state of Iowa is in many cases required because of legislation either passed by or being considered by the United States Congress; and

Whereas, legislation adopted by the United States Congress has a direct impact on the appropriated funds of the state of Iowa; and

Whereas, many legislators feel that Congress is not sufficiently aware of the economic impact federal legislation has upon the state; and

Whereas, federal legislation often pre-empts state law rendering state planning obsolete; and

Whereas, many legislators feel that a communication gap does exist between the state and federal levels of government and that a formal arrangement whereby members of the Iowa General Assembly and members of the Iowa congressional delegation could meet and discuss particular issues would be helpful, *Now Therefore*,

Be It Resolved by the House of Representatives, the Senate Concurring, That the General Assembly designate one day each year during the legislative session to meet with the Iowa delegation of the United States Congress for the purpose of discussing subjects of mutual concern to both delegations with the members of the General Assembly sitting as a committee of the whole for a portion of the day and a portion of the day set aside for members of the congressional delegation to meet with members of standing committees; and

Be It Further Resolved, That the leadership of the Iowa House of Representatives and the Iowa Senate be charged with the duty of making the proper arrangements for such a meeting; and

Be It Further Resolved, That copies of this resolution be forwarded to each member of the Iowa congressional delegation.

Laid over under Rule 25.

CONSIDERATION OF BILL

SPECIAL ORDER

(Senate File 85 Pending)

The hour of 9:15 a.m. having arrived, the Speaker announced the special order of business for the consideration of **Senate File 85**, a bill for an act creating a department of environmental quality, specifying its powers, duties and functions, and providing penalties for violations thereof.

Camp of Clinton asked and received unanimous consent that Rule 31 be suspended for the consideration of **Senate File 85**.

Priebe of Kossuth rose on a point of order that **Senate File 85** should have been referred to the committee on state government.

The Speaker ruled the point not well taken.

Kehe of Bremer called up for consideration the amendment filed by the committee on environmental preservation on January 21, 1972, and found on pages 136 to 140 of the House Journal.

Waugh of Monona offered the following amendment filed by him and Pierson of Mahaska and moved its adoption:

Amend the committee on environmental preservation amendment filed January 21, 1972, to **Senate File 85**,

as amended, passed and reprinted by the Senate, as follows:

1. By striking all of lines 88 through 96.
2. By striking all of lines 131 through 159.
3. By adding the following new amendment:
26. Page 3A, by striking from lines 19 and 20 the words, "the chemical technology commission,".
4. Renumber.

Speaker pro tempore Millen in the chair at 11:15 a.m.

Roll call was requested by Waugh of Monona and Pierson of Mahaska.

On the question "Shall the amendment to the amendment be adopted?"

The ayes were, 59:

Anania	Grassley	Nielsen	Sorg
Andersen	Hamilton	Norpel	Stokes
Bergman	Holden	Nystrom	Strand
Camp	Husak	Patton	Stromer
Christensen	Knoblauch	Pellett	Strothman
Curtis	Kruse	Pierson	Taylor
Den Herder	Logemann	Priebe	Tieden
Dougherty	Mayberry	Radl	Trowbridge
Doyle	McCormick	Rex	Waugh
Dunton	McElroy	Rodgers	Welden
Edelen	Mendenhall	Roorda	Winkelman
Ellsworth	Menefee	Schmeiser	Wirtz
Fischer, H. O.	Middleswart	Schroeder	Wyckoff
Fisher, C. R.	Miller	Scott	Mr. Speaker
Freeman	Moffitt	Siglin	(Millen)

The nays were, 36:

Alt	Franklin	Kinley	Schwartz
Blouin	Gluba	Knoke	Schwieger
Bray	Hansen	Kreamer	Shaw
Campbell	Harbor	Larson	Small
Clark	Hill	Lawson	Stanley
Cochran	Jesse	Lipsky	Uban
Drake	Kehe	Mollett	Varley
Egenes	Kelly	Monroe	Wells
Ewell	Kennedy	Pelton	Willits

Absent or not voting, 5:

Bennett	Johnston	Sargisson	Skinner
Goode			

The amendment to the amendment was adopted.

Blouin of Dubuque asked for unanimous consent that Senate File 85 be deferred and retain its place on the calendar.

Objection was raised.

Blouin of Dubuque moved that Senate File 85 be deferred and retain its place on the calendar.

The motion lost.

(Senate File 85 and the committee amendment pending at adjournment.)

MOTION TO RECONSIDER

(Waugh-Pierson Amendment to Senate File 85)

I move to reconsider the vote by which the Waugh-Pierson amendment to the committee amendment to Senate File 85 was adopted by the House on January 27, 1971.

ANDERSEN of Woodbury

REPORTS OF COMMITTEES

Holden of Scott, from the committee on social services, submitted the following report:

MR. SPEAKER: Your committee on social services, to whom was referred **House File 569**, a bill for an act relating to peer review, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same **be amended as follows, and when so amended the bill do pass:**

Amend House File 569, page 2, by striking lines 2 through 16 and inserting in lieu thereof the following:

"1. 'Peer review' means evaluation of the professional services referred to under chapter two hundred forty-nine A (249A) of the Code of a person engaged in the practice of medicine and surgery, podiatry, osteopathy, osteopathic medicine and surgery, chiropractic, physical therapy, nursing, dentistry, dental hygiene, optometry and pharmacy.

2. 'Peer review committee' means one or more persons acting in a peer review capacity who also serves as an officer, director, trustee, agent or member of any of the following:

- a. A state or local professional society of a profession for which there is peer review;
 - b. Any organization approved for peer review purposes by such a professional society;
 - c. The medical staff of any licensed hospital;
- or
- d. The state board of medical examiners.

Sec. 2. IMMUNITY FROM LIABILITY. No person shall".

HOLDEN of Scott, Chairman

Shaw of Scott, from the committee on constitutional amendments and reapportionment, submitted the following report:

MR. SPEAKER: Your committee on constitutional amendments and reapportionment, to whom was referred **House Joint Resolution 9**, a joint

resolution relating to the effective date of laws, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same **do pass**.

SHAW of Scott, Chairman

Tieden of Clayton, from the committee on conservation and recreation, submitted the following reports:

MR. SPEAKER: Your committee on conservation and recreation, to whom was referred **Senate File 431**, a bill for an act relating to hunting restrictions, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same **be amended as follows, and when so amended the bill do pass**:

Amend Senate File 431 as follows:

Amend page two (2), line twenty-one (21), by striking all after the word "fifteenth" and all of line twenty-two (22).

TIEDEN of Clayton, Chairman

Also:

MR. SPEAKER: Your committee on conservation and recreation, to whom was referred **House File 711**, a bill for an act relating to registration and safety regulations for snowmobiles, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same **be amended as follows, and when so amended the bill do pass**:

House File 711 is amended by striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. **DECLARATION OF POLICY.** It is the policy of this state to promote safety for persons, property, and the environment relating to the use, operation and equipment of snowmobiles and to promote uniformity of laws and rules relating thereto.

Sec. 2. Section three hundred twenty-one G point one (321G.1), Code 1971, is amended by striking the section and inserting in lieu thereof the following:

321G.1 DEFINITIONS. As used in this Act, unless the context otherwise requires:

1. "Commission" means the state conservation commission.
2. "Snowmobiles" means any self-propelled vehicle weighing less than one thousand pounds which utilizes wheels with low pressure tires and is designed to operate on land or ice or is equipped with sled-type runners or skis, endless belt-type tread, or any combination thereof, and is designed for travel upon snow, land or ice, except any vehicle registered as a motor vehicle under chapter three hundred twenty-one (321) of the Code.
3. "Person" means an individual, partnership, firm, corporation, association, and the state, its agencies, and political subdivisions.

4. "Owner" means a person, other than a lien holder, having the property right in or title to a snowmobile. The term includes a person entitled to the use or possession of a snowmobile subject to an interest in another person, reserved or created by agreement and securing payment or performance of an obligation, but the term excludes a lessee under a lease not intended as security.

5. "Operate" means to ride in or on, other than as a passenger, use or control the operation of a snowmobile in any manner, whether or not the snowmobile is moving.

6. "Operator" means every person who operates or is in actual physical control of a snowmobile.

7. "Dealer" means every person engaged in the business of buying, selling, or exchanging snowmobiles required to be registered under this Act and who has an established place of business for that purpose in this state.

8. "Manufacturer" means every person engaged in the business of constructing or assembling snowmobiles required to be registered under this Act and who has an established place of business for that purpose in this state.

9. "Established place of business" means the place actually occupied either continuously or at regular periods by a dealer or manufacturer where his books and records are kept and his business is primarily transacted.

10. "Special event" means an organized race, exhibition, or demonstration of limited duration which is conducted according to a prearranged schedule and in which the general public interest is manifested.

11. "Roadway" means that portion of a highway improved, designed, or ordinarily used for vehicular travel.

12. "Street" or "highway" means the entire width between property lines of every way or place of whatever nature when any part thereof is open to the use of the public, as a matter of right, for purposes of vehicular travel, except in public areas in which the boundary shall be thirty-three feet each side of the center line of the roadway.

13. "'A' scale" means the physical scale marked "A" graduated in decibels on a sound level meter which meets the requirements of the American national standards institute, incorporated, publication S1.4-1961, general purpose sound level meters.

Sec. 3. Section three hundred twenty-one G point two (321G.2), Code 1971, is amended by adding the following new paragraph:

"In the promulgation of such rules and regula-

tions, consideration shall be given to the need to protect the environment and the public health, safety and welfare; to protect private property, public parks and other public lands; to protect wildlife and the habitat thereof; and to promote uniformity of rules relating to the use, operation and equipment of snowmobiles.

Sec. 4. Section three hundred twenty-one G point three (321G.3), Code 1971, is amended by adding the following new paragraph:

"A registration number shall be assigned, without payment of fee, to snowmobiles owned by the state of Iowa or its political subdivisions upon application therefor, and the assigned registration number shall be displayed on the snowmobile as required under section three hundred twenty-one G point five (321G.5) of the Code."

Sec. 5. Section three hundred twenty-one G point five (321G.5), Code 1971, is amended by adding the following new paragraph:

"The owner of any snowmobile which is used as a watercraft and is required to be numbered as a watercraft may display the watercraft number on the forward half of the snowmobile in lieu of the snowmobile identification number, but the current snowmobile registration decal shall also be affixed aft of the current watercraft registration decal."

Sec. 6. Section three hundred twenty-one G point six (321G.6), unnumbered paragraphs one (1), two (2) and three (3), Code 1971, are amended to read as follows:

Every registration certificate and number issued shall expire at midnight [April 30] *December 31*, unless sooner terminated or discontinued in accordance with the provisions of this chapter. *Provided that registration of any snowmobile prior to the effective date of this Act shall be valid for the time specified on that registration.* After the first day of [January] *September* each year, any unregistered snowmobile and renewals of registration may be so registered for the subsequent year beginning [May] *January* 1.

After the first day of [January] *September* any unregistered snowmobile may be registered for the remainder of the current registration period and for the subsequent registration period in one transaction. The fee shall be three dollars for the remainder of the current period, in addition to the registration fee of six dollars for the subsequent year beginning [May] *January* 1, and a writing fee of fifty cents. Registration certificates and numbers may be renewed upon application of the owner in the same manner as provided for in securing the original registration. *The snowmobile registration fee shall be in lieu of*

personal property tax for the calendar year of said registration.

If the application for registration for the subsequent year is not made before [May] *January* 1 of each year the applicant shall be charged a penalty of one dollar for each six month's delinquency, or any portion thereof.

Sec. 7. Section three hundred twenty-one G point eight (321G.8), subsection four (4), Code 1971, is amended as follows:

Snowmobiles not registered or licensed in another state or county being used in this state [during an organized race or exhibition] *while engaged in a special event* and not remaining in the state for a period of more than ten days.

Sec. 8. Section three hundred twenty-one G point eleven (321G.11), Code 1971, is amended by striking the section and inserting in lieu thereof the following:

321G.11 MUFFLERS. On or after July 1, 1972, except when operated or used in an authorized special event, a snowmobile shall not be operated without suitable and effective muffling devices which limit engine noise to not more than eighty-six decibels as measured on the "A" scale at a distance of fifty feet; and a snowmobile, manufactured after July 1, 1973, which is sold, offered for sale or used in this state, except in an authorized special event, shall have a muffler system that limits engine noise to not more than eighty-two decibels as measured on the "A" scale at a distance of fifty feet.

The commission may adopt rules and regulations with respect to the inspection of snowmobiles and the testing of snowmobile mufflers.

On or after July 1, 1972, a separate placard shall be affixed, permanently and conspicuously, to any new snowmobile sold or offered for sale in this state that does not meet the muffler requirements as stated above. The placard shall designate each snowmobile which does not meet the muffler requirements.

Sec. 9. Section three hundred twenty-one G point thirteen (321G.13), Code 1971, is amended by striking subsection six (6) and inserting in lieu thereof the following new subsections:

6. With any firearms in or on the snowmobile except shotguns completely enclosed in a case with the firing chamber and magazine thereof unloaded and excepting any firearms in the possession of a peace officer. No firearm carried in or on a snowmobile shall be discharged within one hundred (100) feet of said snowmobile, except in the case of a peace officer.

7. On any public land, ice, or snow, in violation of official signs of the commission prohibiting such operation in the interest of safety for persons,

property, or the environment. Any officer appointed by the commission may post an official sign in an emergency for the protection of persons, property, or the environment.

8. In or on any park or fish and game areas except on designated snowmobile trails.

Sec. 10. Section three hundred twenty-one G point fourteen (321G.14), Code 1971, is amended as follows:

321G.14 PENALTY. Any person who shall violate any provision of this chapter or any regulation of the commission or commissioner of public safety shall be guilty of a misdemeanor and punished by a fine of not more than one hundred dollars, or by imprisonment for not more than [ninety] *thirty* days.

Chapter two hundred thirty-two (232) of the Code shall have no application in the prosecution of offenses which are committed in violation of this chapter, and which are punishable by a fine of not more than one hundred dollars or by imprisonment for not more than thirty days.

Sec. 11. Chapter three hundred twenty-one G (321G), Code 1971, is amended by adding the following new sections:

1. The commission may authorize the holding of organized special events as defined in this chapter within this state. The commission shall adopt and may amend rules and regulations relating to the conduct of special events held under commission permits and designating the equipment and facilities necessary for safe operation of snowmobiles or for the safety of operators, participants, and observers in the special events. At least thirty days before the scheduled date of a special event in this state, an application shall be filed with the commission for authorization to conduct the special event. The application shall set forth the date, time and location of the proposed special event and any other information as the commission may require. The special event shall not be conducted without written authorization of the commission. Copies of such rules and regulations shall be furnished by the commission to any person making an application therefor.

2. It shall be unlawful for any person, after having received a visual or audible signal from any officer to come to a stop, to operate a snowmobile in willful or wanton disregard of such signal or interfere with or endanger the officer or any other person or vehicle, or increase his speed or attempt to flee or elude the officer.

3. The owner and operator of any snowmobile shall be liable for any injury or damage occasioned by the negligent operation of such snowmobile.

4. a. The owner of any rented snowmobile shall keep a record of the name and address of each person renting the snowmobile, its identification number, the departure date and time, and the expected time of return. The records shall be preserved for six months.

b. The owner of a snowmobile operated for hire shall not permit the use or operation of a rented snowmobile unless it shall have been provided with all equipment required by this chapter or rules of the commission or the commissioner of public safety, properly installed and in good working order.

5. No owner or operator of any snowmobile having an engine rating of three hundred cubic centimeters or more shall permit any person under twelve years of age to operate the snowmobile except when accompanied by a responsible person of at least eighteen years of age who is experienced in snowmobile operation.

6. a. A manufacturer, distributor, or dealer owning any snowmobile required to be registered under this chapter may operate the snowmobile for purposes of transporting, testing, demonstrating, or selling it without the snowmobile being registered, except that a special identification number issued to the owner as provided in this chapter shall be displayed on the snowmobile. The special identification number may not be used on any snowmobile offered for hire or for any work or service performed by a manufacturer, distributor, or dealer.

b. Any manufacturer, distributor, or dealer may upon payment of a fee of fifteen dollars, make application to the commission, upon forms prescribed by the commission, for a special registration certificate containing a general identification number and for one or more duplicate special registration certificates. The applicant shall submit reasonable proof of his status as a bona fide manufacturer, distributor or dealer as may be required by the commission.

c. The commission, upon granting an application, shall issue to the applicant a special registration certificate containing the applicant's name and address, the general identification number assigned to the applicant, the word "manufacturer", "dealer" or "distributor", and such other information as the commission may prescribe. The manufacturer, distributor, or dealer shall have the assigned number printed upon or attached to a removable sign or signs which may be temporarily but firmly mounted or attached to the snowmobile being used. The display shall meet the requirements of this chapter and the rules and regulations of the commission.

d. The commission shall also issue duplicate special registration certificates which shall have

displayed thereon the general identification number assigned to the applicant.

Each duplicate registration certificate so issued shall contain a number or symbol identifying it from every other duplicate special registration certificate bearing the same general identification number. The fee for each additional duplicate special registration certificate shall be two dollars.

e. Each special registration certificate issued hereunder shall expire on December 31 of each year, and a new special registration certificate for the ensuing twelve months may be obtained upon application to the commission and payment of the fee provided by law.

f. Every manufacturer, distributor, or dealer shall keep a written record of the snowmobiles upon which special registration certificates are used, which record shall be open to inspection by any law-enforcement officer or any officer or employee of the commission.

g. If a manufacturer, distributor, or dealer has an established place of business in more than one location, he shall secure a separate and distinct special registration certificate and general identification number for each place of business.

7. The state, or its political subdivisions, owes no duty of care to keep the ditches or land contiguous to a highway or roadway under the control of the state or a political subdivision safe for entry or use by persons operating a snowmobile, or to give any warning of a dangerous condition, use, structure, or activity on such premises to persons entering for such purposes except in the case of willful or malicious failure to guard or warn against a dangerous condition, use, structure, or activity. This section shall not be construed to create a duty of care or ground of liability on behalf of the state or any of its political subdivisions for injury to persons or property in the operation of snowmobiles in a ditch or on land contiguous to a highway or roadway under the control of the state or a political subdivision. The state or its political subdivisions shall, in no event, be liable for the operation of a snowmobile in violation of the provisions of this chapter.

TIEDEN of Clayton, Chairman

Grassley of Butler, from the committee on schools, submitted the following reports:

MR. SPEAKER: Your committee on schools, to whom was referred **House File 1032**, a bill for an act relating to resignations of school board members, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same **be amended as follows, and when so amended the bill do pass:**

Amend House File 1032, page 1, line 15, by striking the word "preceding".

GRASSLEY of Butler, Chairman

Also:

MR. SPEAKER: Your committee on schools, to whom was referred **House File 1045**, a bill for an act changing the local budget certification date of school districts, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same **be amended as follows, and when so amended the bill do pass:**

Amend House File 1045, page 2, by striking all of lines 15 through 19.

GRASSLEY of Butler, Chairman

AMENDMENTS FILED

- 1 Amend Senate File 85 as passed and reprinted by
- 2 the Senate, page 6A, line 5, by striking the word
- 3 "forty" and inserting in lieu thereof "thirty".

COCHRAN of Webster

- 1 Amend the committee on environmental preservation
- 2 amendment filed January 21, 1972, to Senate File 85,
- 3 as amended, passed and reprinted by the Senate, by striking
- 4 lines 45 and 46.

COCHRAN of Webster

- 1 Amend Senate File 470, as passed by the Senate, by
- 2 striking everything after the enacting clause and
- 3 inserting in lieu thereof the following:
- 4 Section 1. Chapter five hundred nine A (509A),
- 5 Code 1971, is amended by adding the following new
- 6 section:
- 7 "The governing body may by contractual agreement
- 8 acquire a life insurance contract, annuity contract,
- 9 or any other individual deferred payment contract for
- 10 the purpose of funding a deferred compensation program
- 11 for an employee, with the consent of the employee,
- 12 from any life or securities underwriter duly licensed
- 13 by this state to contract business in this state.
- 14 The provisions of this Act shall be in addition to
- 15 any benefit program provided by law for any employees
- 16 of the state or any of its political subdivisions."

ANDERSEN of Woodbury

- 1 Amend Senate File 470, as amended and passed by
- 2 the Senate, on page 1, by striking lines 10 and 11
- 3 and inserting in lieu thereof the following:
- 4 "employee, from any life underwriter or regis-
- 5 tered securities representative duly licensed by
- 6 this state to contract bus-".

FREEMAN of Buena Vista

1 Amend the committee on county government amend-
2 ment to House File 494, filed January 25, 1972, as
3 follows:

4 By inserting after line 23 the following:

5 "However, prior to entering into the agreement,
6 a notice of intent to execute such agreement shall be
7 published in a newspaper of general circulation within
8 the county and the cost of such notice shall be
9 jointly borne by the state highway commission and the
10 board of supervisors. If one hundred or more
11 residents of the county request by petition or in
12 writing that a hearing be held in regard to such
13 agreement within ten days after the publication of
14 the notice, the board of supervisors and the
15 state highway commission shall hold such a hearing
16 not more than seven days after receiving the petition
17 or written instrument, and based upon evidence pre-
18 sented at such hearing shall reexamine the merits of
19 executing such agreement and make a decision in
20 regard to it."

GRASSLEY of Butler

1 Amend House File 208 as follows:

2 By striking everything after the enacting clause and
3 inserting in lieu thereof the following:

4 Section 1. Section four hundred ninety A point six
5 (490A.6), unnumbered paragraphs two (2), three (3), and
6 four (4), Code 1971, are amended as follows:

7 All public utilities, including those exempted from
8 rate regulation by the provisions of section 490A.1, shall
9 give written notice of any proposed *general rate* increase
10 [of any rate or charge] to all affected customers served by
11 the public utility at least thirty days prior to the
12 effective date thereof. If the public utility is subject
13 to rate regulation, the notice to affected customers shall
14 also state that the customer has a right to file *with*
15 *the commission* a written objection to such rate increase
16 [and that he may request the commission to hold a public
17 hearing to determine if such rate increase should be
18 allowed. The commission shall prescribe the manner
19 and method that the written notice to each affected
20 customer of the public utility shall be served.]

21 Nothing in this chapter shall be taken to prohibit a
22 public utility from establishing a sliding scale of rates
23 and charges or from making provision for the automatic
24 adjustment of rates and charges for public utility service
25 provided that a schedule showing such sliding scale or
26 automatic adjustment of rates and charges is first filed
27 with the commission.

28 Whenever there is filed with the commission by any
29 public utility subject to rate regulation any [new or
30 changed rates, charges, schedules or regulations] *general*
31 *rate increases*, the commission [may] *shall*, prior to the
32 effective date thereof, docket the case as a formal pro-

33 ceeding and set the case for hearing. The commission shall
34 give such notice of such formal proceedings as it deems
35 appropriate.

FISCHER of Grundy

1 Amend House File 1010, pages 2 and 3, by
2 striking Section 3.

EWELL of Black Hawk

On motion by Varley of Adair, the House adjourned until
9:00 a.m., Friday, January 28, 1972.

JOURNAL OF THE HOUSE

Nineteenth Calendar Day—Fifteenth Session Day

HALL OF THE HOUSE OF REPRESENTATIVES
DES MOINES, IOWA, FRIDAY, JANUARY 28, 1972

The House met pursuant to adjournment, Speaker Harbor in the chair.

The following prayer was offered by the Reverend John Zimmerman, president of Iowa District East Lutheran Church, Missouri Synod, St. John Lutheran Rectory, Eldora, Iowa:

In the name of God the Father, God the Son and God the Holy Ghost. O Lord, Thou art the Ruler of men and nations; Thou art in the midst of all history and life. Of old Thou hast declared in Thy holy Word, "The counsel of the Lord stands forever, the thought of His heart to all generations. Blessed is the nation whose God is the Lord." Thou hast told us, "Except the Lord build the house, they labor in vain that build it; except the Lord keep the city the watchman waketh but in vain." Graciously Thou hast invited us, "O taste and see that the Lord is good! Happy is the man who takes refuge in Him." Open our ears also to the testimony of Thy people in ages past, who have declared, "God is our Refuge and Strength, a very present help in trouble. Therefore will not we fear . . ."

We give Thee special thanks for the abundant grace and mercy given to us who live in this time and in this place. As a nation we have received of Thy goodness as no other people. In our State of Iowa we enjoy tremendous resources of fertile soil, favorable seasons, progressive and industrious people, a bright and promising future. Enable us to meet the challenges and to seize the opportunities for progress that lie before us for all our citizens. Lead us to think more often of Thy loving kindness and to thank Thee for the good which Thou hast given us.

And do Thou also, O Lord, give strength to all forces of righteousness in our midst and overthrow all the powers of evil. As righteousness exalt a nation but sin brings Thy reproach, keep our country and people within Thy care, that honor and honesty, truth and integrity may be upheld.

Especially do we entreat Thy favor upon all who bear the responsibility for our government. Give us executive, legislative and judicial leaders who shall uphold and foster all good and oppose all evil, that our people may live in peace, safety and honor. To that end, be present here and direct the councils of this assembly. Preserve the health of body and vigor of mind of this entire legislature. May their motives be pure and directed only to the service of all the citizens whom they represent, and to the fulfillment of the high offices to which they have been elected.

We are indeed unworthy, O Lord, of Thy goodness. We do not deserve that Thou shouldst hear our prayer, for we have sinned before Thee. But we remember Thy mercy and forgiveness in Jesus Christ, Thy Son, who gave His life on the cross for us. In Him we find that "peace of God

which passeth all understanding." It is in His name that we bring these petitions before Thee. In the name of Jesus Christ, our Saviour and our Lord. Amen.

The Journal of Thursday, January 27, 1972, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. William Siedler, Jamaica, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Waugh of Monona by the Speaker; Egenes of Story on request of Uban of Black Hawk; Harbor of Mills on request of Varley of Adair; Kehe indefinitely by the Speaker.

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Eighty-two members of the Sumner High School Band, Sumner, Iowa, accompanied by their instructor, Jim Burke. By Kehe of Bremer.

ADOPTION OF COMMITTEE REPORTS

The Chief Clerk announced the adoption of reports of committees on House Files 569, 711, 1032, 1045, House Joint Resolution 9 and Senate File 431, under Rule 35.

MESSAGES FROM THE SENATE

The following message were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File 1013, a bill for an act relating to the rate of interest on public utility refunds to customers.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File 1003, a bill for an act relating to support payments as the result of a dissolution of marriage.

CARROLL A. LANE, Secretary

SENATE MESSAGES CONSIDERED

Senate File 1013, a bill for an act relating to the rate of interest on public utility refunds to customers.

Read first time and passed on file.

Senate File 1019, a bill for an act making the violation of the Iowa Commercial Feed Law of 1964 a misdemeanor and providing a penalty therefor.

Read first time and referred to committee on judiciary.

Senate File 1023, a bill for an act relating to county motor vehicle registration fees.

Read first time and referred to committee on county government.

INTRODUCTION OF BILLS

House File 1084, by committee on agriculture, a bill for an act to provide that rural water districts shall not be subject to regulation by the Iowa state commerce commission.

Read first time and placed on calendar.

House File 1085, by Nystrom, a bill for an act relating to the licensing of plumbers, supervision and inspection of plumbing, adoption and enforcement of minimum, uniform standards for plumbing and providing penalties.

Read first time and referred to committee on state government.

House File 1086, by Egenes (Van Drie), a bill for an act relating to exceptions to the time limits during which certain civil actions must be brought.

Read first time and referred to committee on judiciary.

House File 1087, by committee on commerce, a bill for an act to prescribe a penalty for violation of laws relating to the registration of a motor carrier's interstate transportation service.

Read first time and placed on the calendar.

INTRODUCTION OF JOINT RESOLUTION

House Joint Resolution 1004, by committee on constitutional amendments and reapportionment, a joint resolution proposing an amendment to the Constitution of the State of Iowa to provide means for the General Assembly to convene itself into special session between regular sessions.

Read first time and placed on the calendar.

CONSIDERATION OF BILLS

REGULAR CALENDAR

House File 1007, a bill for an act relating to grounds for refusal to register motor vehicles, with report of committee recommending amendment and passage, was taken up for consideration.

Alt of Polk offered the following amendment filed by the committee on cities and towns and moved its adoption:

Amend House File 1007 as follows:

1. Page 2, line 8, by striking the words "The clerk of" and capitalizing the word "each."

The amendment was adopted.

Varley of Adair moved the previous question on House File 1007.

A non-record roll call was requested.

The ayes were 49, nays 24.

The motion having received a three-fifths majority prevailed.

Kreamer of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1007)

The ayes were, 50:

Alt	Fisher, C. R.	McElroy	Scott
Anania	Freeman	Mendenhall	Shaw
Andersen	Grassley	Menefee	Siglin
Bergman	Hamilton	Miller	Skinner
Blouin	Hill	Moffitt	Sorg
Campbell	Holden	Mollett	Stanley
Clark	Jesse	Nielsen	Strand
Curtis	Kelly	Pellett	Strothman
Doyle	Kinley	Pierson	Trowbridge
Drake	Knoke	Radl	Varley
Dunton	Kreamer	Roorda	Wells
Ellsworth	Kruse	Schwartz	Winkelmann
Fischer, H. O.	Logemann		

The nays were, 35:

Bray	Husak	Priebe	Taylor
Camp	Kehe	Rex	Tieden
Christensen	Knoblauch	Rodgers	Uban
Cochran	Larson	Schmeiser	Welden
Den Herder	Mayberry	Schroeder	Willits
Dougherty	McCormick	Schwieger	Wirtz
Edelen	Middleswart	Small	Wyckoff
Ewell	Monroe	Stokes	Mr. Speaker
Gluba	Norpel	Stromer	(Millen)

Absent or not voting, 15:

Bennett	Hansen	Lawson	Pelton
Egenes	Harbor	Lipsky	Sargisson
Franklin	Johnston	Nystrom	Waugh
Goode	Kennedy	Patton	

The bill having failed to receive a constitutional majority was declared to have failed to pass the House.

House File 465, a bill for an act relating to salaries of deputy sheriffs, with report of committee recommending passage, was taken up for consideration.

Wells of Linn asked and received unanimous consent to withdraw the amendment filed by him on April 14, 1971, and found on page 939 of the House Journal.

Schroeder of Pottawattamie offered the following amendment filed by him and moved its adoption:

Amend House File 465 as follows:

1. Page 1, line 13, by striking the word "seventy" and inserting in lieu thereof "seventy-five".
2. Page 1, line 17, by striking the word "shall" and inserting in lieu thereof the word "may".

The amendment was adopted.

Knoke of Pottawattamie moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 465)

The ayes were, 82:

Alt	Freeman	Middleswart	Small
Anania	Gluba	Miller	Sorg
Andersen	Grassley	Moffitt	Stanley
Bennett	Hamilton	Mollett	Stokes
Bergman	Hansen	Nielsen	Strand
Blouin	Hill	Norpel	Stromer
Bray	Husak	Pellett	Strothman
Camp	Jesse	Pierson	Taylor
Campbell	Kehe	Priebe	Tieden
Christensen	Kelly	Radl	Trowbridge
Clark	Kinley	Rex	Uban
Cochran	Knoblauch	Rodgers	Varley
Curtis	Knoke	Roorda	Welden
Den Herder	Kruse	Schmeiser	Wells
Dougherty	Larson	Schroeder	Willits
Doyle	Logemann	Schwartz	Winkelman
Drake	Mayberry	Schwieger	Wirtz
Dunton	McCormick	Scott	Wyckoff
Ellsworth	McElroy	Shaw	Mr. Speaker
Fischer, H. O.	Mendenhall	Siglin	(Millen)
Fisher, C. R.	Menefee	Skinner	

The nays were, 1:
Ewell

Absent or not voting, 17:

Edelen	Holden	Lawson	Patton
Egenes	Johnston	Lipsky	Pelton
Franklin	Kennedy	Monroe	Sargisson
Goode	Kreamer	Nystrom	Waugh
Harbor			

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

REFERRED TO COMMITTEE ON APPROPRIATIONS
(House File 1068)

House File 1068, a bill for an act to create a state department of transportation and to make an appropriation therefor, was taken up for consideration.

Drake of Muscatine asked and received unanimous consent that Rule 31 be invoked.

Under Rule 31, House File 1068 was referred to the committee on appropriations.

CONSIDERATION OF BILLS

House File 494, a bill for an act relating to the transfer of portions of the primary road system into the secondary road system, with report of committee recommending amendment and passage, was taken up for consideration.

Rex of Hamilton offered the following amendment filed by the committee on county government:

Amend House File 494 by striking all after the enacting clause and inserting in lieu thereof the following:

“Section 1. Section three hundred thirteen point two (313.2), Code 1971, is amended by inserting after unnumbered paragraph two (2) the following:

Whenever the board of supervisors of a county and the state highway commission mutually determine that a portion of a highway under the jurisdiction of either party should be transferred to the jurisdiction of the other party, the board and the commission may enter into an agreement to effect such transfer. Such agreement may provide that each party may undertake or share responsibility for improving said road with the costs of such improvement to be borne entirely by either the county or the commission or equitably divided between the two jurisdictions. All such improvements shall be completed and all actual costs thereof paid or reimbursed prior to the time transfer

of the road is made. In carrying out such agreement, the board of supervisors may expend secondary road funds of the county and the highway commission may expend primary road funds."

Grassley of Butler offered the following amendment to the committee amendment and moved its adoption:

Amend the committee on county government amendment to House File 494, filed January 25, 1972, as follows:

By inserting after line 23 the following:

"However, prior to entering into the agreement, a notice of intent to execute such agreement shall be published in a newspaper of general circulation within the county and the cost of such notice shall be jointly borne by the state highway commission and the board of supervisors. If one hundred or more residents of the county request by petition or in writing that a hearing be held in regard to such agreement within ten days after the publication of the notice, the board of supervisors and the state highway commission shall hold such a hearing not more than seven days after receiving the petition or written instrument, and based upon evidence presented at such hearing shall reexamine the merits of executing such agreement and make a decision in regard to it."

The amendment to the amendment was adopted.

Schroeder of Pottawattamie moved the adoption of the committee amendment as amended.

The committee amendment as amended was adopted.

Schroeder of Pottawattamie moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 494)

The ayes were, 84:

Alt	Dougherty	Holden	Mendenhall
Anania	Doyle	Husak	Menefee
Andersen	Dunton	Jesse	Middleswart
Bennett	Edelen	Kelly	Miller
Bergman	Ellsworth	Kinley	Moffitt
Blouin	Ewell	Knoblauch	Mollett
Bray	Fischer, H. O.	Knoke	Monroe
Camp	Fisher, C. R.	Kruse	Nielsen
Campbell	Freeman	Larson	Norpel
Christensen	Gluba	Lawson	Pellett
Clark	Grassley	Logemann	Pierson
Cochran	Hamilton	Mayberry	Priebe
Curtis	Hansen	McCormick	Radl
Den Herder	Hill	McElroy	Rex

Rodgers	Siglin	Stromer	Wells
Roorda	Skinner	Strothman	Willits
Schmeiser	Small	Taylor	Winkelman
Schroeder	Sorg	Tieden	Wirtz
Schwartz	Stanley	Trowbridge	Wyckoff
Schwieger	Stokes	Varley	Mr. Speaker
Scott	Strand	Welden	(Millen)
Shaw			

The nays were, 1:

Uban

Absent or not voting, 15:

Drake	Harbor	Kreamer	Pelton
Egenes	Johnston	Lipsky	Sargisson
Franklin	Kehe	Nystrom	Waugh
Goode	Kennedy	Patton	

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

Senate File 203, a bill for an act relating to administrative rules and regulations, with report of committee recommending passage, was taken up for consideration.

Schroeder of Pottawattamie asked and received unanimous consent to withdraw the amendment filed by him on March 1, 1971, and found on page 492 of the House Journal.

Schroeder of Pottawattamie moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 203)

The ayes were, 80:

Alt	Freeman	Menefee	Skinner
Anania	Gluba	Middleswart	Small
Andersen	Grassley	Miller	Sorg
Bennett	Hamilton	Moffitt	Stanley
Bergman	Hansen	Mollett	Stokes
Blouin	Holden	Monroe	Strand
Bray	Husak	Nielsen	Stromer
Camp	Jesse	Norpel	Strothman
Campbell	Kelly	Pellett	Taylor
Christensen	Kinley	Pierson	Tieden
Clark	Knoblauch	Priebe	Trowbridge
Cochran	Knoke	Radl	Varley
Curtis	Kruse	Rex	Welden
Den Herder	Larson	Rodgers	Wells
Dougherty	Lawson	Schmeiser	Willits
Doyle	Logemann	Schroeder	Winkelman
Drake	Mayberry	Schwartz	Wirtz
Dunton	McCormick	Schwieger	Wyckoff
Edelen	McElroy	Scott	Mr. Speaker
Ellsworth	Mendenhall	Siglin	(Millen)
Fisher, C. R.			

The nays were, 4:

Hill	Roorda	Shaw	Uban
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Absent or not voting, 16:

Egenes	Goode	Kennedy	Patton
Ewell	Harbor	Kreamer	Pelton
Fischer, H. O.	Johnston	Lipsky	Sargisson
Franklin	Kehe	Nystrom	Waugh

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

MOTION TO RECONSIDER

(House File 1007)

I move to reconsider the vote by which House File 1007 failed to pass the House on January 28, 1972.

TIEDEN of Clayton

MOTION TO RECONSIDER

(House File 1007)

I move to reconsider the vote by which House File 1007 failed to pass the House on January 28, 1972.

STROMER of Hancock

MOTION TO RECONSIDER

(Senate File 203)

I move to reconsider the vote by which Senate File 203 passed the House on January 28, 1972.

CAMP of Clinton

AMENDMENTS FILED

- 1 Amend House File 726 as follows:
- 2 1. Page 1, by striking the period in line
- 3 19 and inserting in lieu thereof the
- 4 following:
- 5 “, and all such damages shall be
- 6 remitted to the conservation commission
- 7 which shall deposit the same with the
- 8 treasurer of state for placement in the
- 9 state fish and game protection fund.”
- 10 2. Page 1, by striking lines 20 through 25.
- 11 3. Page 2, by striking lines 1 through 6.

HILL of Polk

TIEDEN of Clayton

- 1 Amend House File 1044 as follows:
- 2 Page 1, by inserting in line 15 before the
- 3 comma the words “*but only after site approval by the*
- 4 *county zoning commission in counties having zoning*

5 commissions or the county board of health or district
6 board of health in those counties not having zoning
7 commissions”.

KRUSE of O'Brien
SCHMEISER of Des Moines

1 Amend House File 1068, page 8, line 31, by
2 striking the words “paid into the road use tax fund”
3 and inserting in lieu thereof the following: “used
4 to replace funds appropriated to the department of
5 transportation from the road use tax fund. The road
6 use tax funds so replaced shall be reverted back to
7 the road use tax fund”.

SMALL of Johnson

1 Amend Senate File 431, as passed by the Senate,
2 page 2, by inserting after line 27 the following:
3 “Section 2. Chapter three hundred fifty (350),
4 Code 1971, is hereby repealed.”

BRAY of Scott

1 Amend Senate File 470, as passed by the Senate, page 1,
2 line 7, by inserting after the word “other” the words
3 “individual or group”.

FREEMAN of Buena Vista

1 Amend Senate File 470, line 17, by striking the
2 word “for” and inserting in lieu thereof the word
3 “by”.

UBAN of Black Hawk

1 Amend Senate File 1013, as passed by the Senate,
2 page 1, line 16, by inserting after the period the
3 following:
4 “*However, prior to the expiration of such ninety*
5 *(90) day period, the commission shall hold a prelimin-*
6 *ary hearing upon reasonable notice to all interested*
7 *parties. At such hearing the commission shall review*
8 *the application of the utility and receive all other*
9 *relevant and material evidence, which is then known,*
10 *pertaining to the need and amount of such increased*
11 *rates, charges, schedules, or regulations. The*
12 *commission shall, by order, before the expiration of*
13 *such ninety (90) days, allow only that part of, or all*
14 *of the requested increased rates, charges, schedules,*
15 *or regulations that it, at that time, finds reasonably*
16 *probable to be allowed. The commission may upon final*
17 *hearing further increase or decrease the rates, charges,*
18 *schedules or regulations allowed to go into effect*
19 *upon its preliminary order.”*

SMALL of Johnson
GLUBA of Scott

1 Amend Senate File 1013, as passed by the Senate,
2 line 16, by inserting after the period the following:
3 *"In the event the commission determines that the*
4 *rates, charges, schedules, or regulations so put into*
5 *effect by a public utility were unreasonable or*
6 *grossly disproportionate to the rates, charges,*
7 *schedules, or regulations allowed, the commission*
8 *shall further set an additional rate of return to each*
9 *customer as a penalty to such public utility in*
10 *addition to any interest allowed."*

GLUBA of Scott
SMALL of Johnson

1 Amend Senate File 1013 as amended and passed
2 by the Senate as follows:
3 1. Line 5, by striking the word "amended"
4 and inserting in lieu thereof the words "hereby
5 repealed."
6 2. By striking all of Section 1 after line
7 5 and inserting in lieu thereof the following:
8 "Sec. 2. Section four hundred ninety A point
9 six (490.6), unnumbered paragraph seven (7), Code
10 1971, is amended by striking all of the paragraph
11 after the period in unnumbered line thirteen (13)."

WILLITS of Polk
PELTON of Clinton
JESSE of Polk

On motion by Varley of Adair, the House adjourned until
10:00 a.m., Monday, January 31, 1972.

JOURNAL OF THE HOUSE

Twenty-second Calendar Day—Sixteenth Session Day

HALL OF THE HOUSE OF REPRESENTATIVES
DES MOINES, IOWA, MONDAY, JANUARY 31, 1972

The House met pursuant to adjournment, Speaker Harbor in the chair.

Prayer was offered by the Reverend Richard Kamper, pastor of the First Lutheran Church, Manchester, Iowa.

The Journal of Friday, January 28, 1972, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Merwin R. Dieckmann, Waterloo, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Kreamer of Polk on request of Alt of Polk; Franklin of Polk on request of Blouin of Dubuque.

PRESENTATION OF VISITORS

McCormick of Delaware presented to the House "Ba" Clemetsen of Oslo, Norway. Miss Clemetsen is visiting her "sister" Julie, daughter of Representative and Mrs. Harold C. McCormick, as a part of the Youth For Understanding program.

The Speaker announced that the following visitors were present in the House chamber:

Three exchange students from Laurens Community High School, accompanied by exchange students Olivara Stoyanovich from Yugoslavia and Mohammad Ali Qubandi from Kuwait. By Wirtz of Palo Alto.

INTRODUCTION OF BILLS

House File 1088, by Dunton, a bill for an act relating to school records and neglected, dependent and delinquent children.

Read first time and referred to committee on **judiciary**.

House File 1089, by Fischer of Grundy (Griffin), a bill for an act relating to the Iowa insurance guaranty association.

Read first time and referred to committee on **commerce**.

House File 1090, by Winkelman, a bill for an act relating to assessment of real property.

Read first time and referred to committee on **ways and means**.

House File 1091, by Winkelman, Curtis, Nielsen, Rodgers, Tieden, Roorda, Husak, Knoblauch, Waugh, Scott, Mayberry, Wirtz, and Cochran (Graham, Potgeter, Walsh, and Potter), a bill for an act to exempt the storage of grain from the tax on services.

Read first time and referred to committee on **ways and means**.

House File 1092, by Doyle, Kelly, Stanley, Schwieger, Nystrom, Freeman, Taylor, Logemann, Wirtz, Rodgers, McCormick, Wells, Dunton, Monroe, Waugh, Menefee, Hansen, Christensen, Ellsworth, Curtis, Mollett, Sargisson, Andersen, Schwartz, and Mayberry, a bill for an act to appropriate from the primary road fund to the department of public safety for salary increases for Iowa highway safety patrol officers.

Read first time and referred to committee on **appropriations**.

House File 1093, by Dunton, Strand, Mendenhall, Dougherty, Trowbridge, Menefee, Doyle, Middleswart, Husak, Norpel, McElroy, Strothman, Stokes, Sargisson, and Schwartz (Rhodes, Riley, and Van Gilst), a bill for an act relating to qualification for employment benefits under the Iowa public employees retirement system.

Read first time and referred to committee on **state government**.

House File 1094, by Kelly, a bill for an act providing that insurance companies insuring against loss from liability resulting from motor vehicle accidents must offer additional first party benefits to all outstanding policy holders and all new policy holders, and providing for the administrative procedures necessary thereto.

Read first time and referred to committee on **commerce**.

House File 1095, by Waugh, Sargisson, Doyle, and Andersen (Gross), a bill for an act relating to the authority of merged areas to borrow money in anticipation of the collection of a voted tax for school facilities.

Read first time and referred to committee on **ways and means**.

House File 1096, by Campbell, a bill for an act relating to deer hunting.

Read first time and referred to committee on **conservation and recreation**.

House File 1097, by Doyle, Kelly, Stanley, Schwieger, Nystrom, Freeman, Taylor, Logemann, Wirtz, Rodgers, McCormick, Wells, Dunton, Monroe, Waugh, Menefee, Hansen, Christensen, Ellsworth, Curtis, Mollett, Sargisson, Andersen, Schwartz, and Mayberry, a bill for an act relating to the registration and titling of motorcycles and providing a penalty for violations.

Read first time and referred to committee on **law enforcement**.

SENATE MESSAGES CONSIDERED

Senate File 1003, a bill for an act relating to support payments as the result of dissolution of marriage.

Read first time and referred to committee on **county government**.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has adopted the following joint resolution in which the concurrence of the Senate was asked:

House Joint Resolution 2, proposing an amendment to the Constitution of the State of Iowa relating to the appropriation of fines as provided by law.

Also: That the Senate has concurred in House amendment to and passed the following bill in which the concurrence of the Senate was asked:

Senate File 77, a bill for an act relating to referendum for approval of low-rent housing projects.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File 1024, a bill for an act relating to the employment of county relief recipients.

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

House File 1037, a bill for an act relating to antitrust fees for prosecutors.

CARROLL A. LANE, Secretary

SENATE AMENDMENT TO HOUSE FILE 1037

- 1 Amend House File 1037 as passed by the House as follows:
 2 1. Page 2, by adding after line 2 the following new
 3 section:
 4 "Sec. Chapter two (2), section one (1), subsection
 5 six (6), Acts of the Sixty-fourth General Assembly, First
 6 Session, is amended to read as follows:
 7 6. Office of the attorney general.
 8 Salary of the attorney general: \$22,500.00 [~~\$22,500.00~~] ~~\$28,000.00~~"
 9 2. By renumbering the following section.
 10 3. Page 1, line 1, by striking the period and adding the
 11 following: "and fixing the compensation of the attorney
 12 general."

CONSIDERATION OF BILLS

REGULAR CALENDAR

HOUSE FILE 726 DEFERRED

House File 726, a bill for an act imposing damage liability for the unlawful destruction, taking, or possession of wildlife owned by the State of Iowa, was taken up for consideration.

Tieden of Clayton offered the following amendment filed by him and moved its adoption:

Amend House File 726 as follows:

1. Page 1, line 8, by inserting after the word "fowl," the word "or".
2. Page 1, line 9, by striking the words "or fish".

The amendment was adopted.

Stanley of Linn offered the following amendment filed by Stanley, et al., and moved its adoption:

Amend House File 726, page 1, by striking all of lines 15, 16 and 17 and the first word "damages." in line 18.

The amendment was adopted.

Hill of Polk offered the following amendment filed by him and Tieden of Clayton and moved its adoption:

Amend House File 726 as follows:

1. Page 1, by striking the period in line 19 and inserting in lieu thereof the following:

" , and all such damages shall be remitted to the conservation commission

which shall deposit the same with the treasurer of state for placement in the state fish and game protection fund.”

2. Page 1, by striking lines 20 through 25.
3. Page 2, by striking lines 1 through 6.

The amendment was adopted.

(House File 726 deferred and pending.)

SENATE FILE 1013 PENDING

SENATE FILE 1013 SUBSTITUTED FOR HOUSE FILE 1053

Fischer of Grundy asked and received unanimous consent to substitute Senate File 1013 for House File 1053.

Senate File 1013, a bill for an act relating to the rate of interest on public utility refunds to customers, was taken up for consideration.

Willits of Polk offered the following amendment filed by Willits, et al.:

Amend Senate File 1013 as amended and passed by the Senate as follows:

1. Line 5, by striking the word “amended” and inserting in lieu thereof the words “hereby repealed.”
2. By striking all of Section 1 after line 5 and inserting in lieu thereof the following:
“Sec. 2. Section four hundred ninety A point six (490.6), unnumbered paragraph seven (7), Code 1971, is amended by striking all of the paragraph after the period in unnumbered line thirteen (13).”

Skinner of Polk rose on a point of order that the amendment was not germane.

The Speaker ruled the point well taken and the amendment not germane.

Dunton of Keokuk asked for unanimous consent that Senate File 1013 be deferred and that the bill retain its place on the calendar.

Objection was raised.

(Senate File 1013 pending at adjournment.)

HOUSE FILE 1053 WITHDRAWN

Fischer of Grundy asked and received unanimous consent to withdraw **House File 1053** from further consideration by the House.

AMENDMENTS FILED

- 1 Amend Senate File 259, as amended and passed by the
2 Senate and reprinted, as follows:
- 3 1. Page 3A, line 26, by inserting after the period the
4 following new sentence:
5 "The affidavit or sale receipts shall be retained by the
6 county recorder until after audit."
7 2. Page 5A, by striking lines 1 through 6, inclusive.
8 3. Page 5A, line 11, by inserting after the period the
9 following new sentence:
10 "As used in this section, the term 'commercial' means
11 income-producing."
12 4. Page 5A, line 15, by striking the words "by mutual"
13 and inserting in lieu thereof a period, and by striking
14 lines 16 through 18, inclusive.
15 5. Page 5A, line 27, by striking the date "1971" and
16 inserting in lieu thereof the date "1972".
17 6. Page 5A, line 29, by striking the date "1972" and
18 inserting in lieu thereof the date "1973".
19 7. Page 6, line 2, by striking the words "those funds
20 to the county general" and by striking lines 3 through 14,
21 inclusive, and inserting in lieu thereof the following:
22 "fifty percent of those funds to the county general fund
23 and the remaining fifty percent of the funds shall be
24 allocated on a percentage basis to the cities and towns
25 within the county according to population."
26 8. Page 9, line 5, by striking the word "the" before
27 the word "registration" and inserting in lieu thereof the
28 words "[the] a current".
29 9. Page 11, by inserting after line 7 the following new
30 section:
31 "Sec. 24. Section four hundred twenty-seven point
32 thirteen (427.13), subsection eight (8), Code 1971, is
33 amended to read as follows:
34 8. Boats and vessels of every description, [wherever
35 registered or licensed, and] *except motorboats and sailboats*
36 *registered under the provisions of chapter one hundred six*
37 *(106) of the Code, whether navigating the waters of the*
38 *state or not, if owned either wholly or in part by*
39 *inhabitants of this state, to the amount owned in this*
40 *state.*"
41 10. Page 11, line 8, by striking the number "24" and
42 inserting in lieu thereof the number "25".
43 11. Page 11, by striking lines 10 through 12, inclusive,
44 and inserting in lieu thereof the following:
45 "six (106.6), one hundred six point fifty-one (106.51),

46 and one hundred six point fifty-two (106.52), Code".
 47 12. Page 11, by striking lines 14 through 18, inclusive,
 48 and inserting in lieu thereof the following:
 49 "Sec. 26. The provisions of this Act shall become
 50 effective July 1, 1972, however, taxes assessed and levied
 51 in the year 1972, which are due and payable in 1973, shall
 52 not be affected by this Act except as provided in section
 53 seven (7) of this Act."

FISHER of Greene

1 Amend Senate File 1013, as amended and passed
 2 by the Senate, by adding to Section one (1) the
 3 following new sentence:
 4 "Any refunds ordered that cannot be delivered
 5 to the customer within one year after such order
 6 because the customer has moved, died, or otherwise
 7 cannot be found shall revert to the state of Iowa
 8 under the provisions of chapter five hundred fifty-
 9 six (556) of the Code, the limitations contained
 10 therein to the contrary notwithstanding."

BLOUIN of Dubuque

1 Amend House File 726, page 1, line 11 by inserting
 2 after the word "crane," the word "eagle".

CAMPBELL of Washington
 GLUBA of Scott

1 Amend House File 1007, page 2, by inserting
 2 after line 12 the following new section:
 3 Sec. 3. Fifty percent of such funds derived
 4 from the actions of the clerk of court and the
 5 county treasurer shall revert to the general fund
 6 of the county in which the funds were collected.

KNOBLAUCH of Carroll

1 Amend House File 1044, page 2, by adding after
 2 line 4 the following:
 3 *This subsection does not prevent refuse from being*
 4 *used for heat generation by private industry or*
 5 *public utilities, nor from private individuals*
 6 *conducting private salvage operations. This subsection*
 7 *allows a private contractor to provide collection*
 8 *and operation of a sanitary landfill in lieu of a*
 9 *county or joint counties sanitary landfill. How-*
 10 *ever, if the property described in the subsection*
 11 *is condemned, the condemning authority may take*
 12 *possession of the property either after the damages*
 13 *have been finally determined and paid or one hundred*
 14 *eighty days after the compensation commission has*
 15 *determined and filed its award, in which event all*
 16 *of the appraisement of damages shall be paid to the*
 17 *property owner before the dispossession can take*
 18 *place.*

TAYLOR of Dubuque

- 1 Amend House File 1087, as follows:
- 2 1. Line 7 by inserting after the word
- 3 "Every" the word "carrier."
- 4 2. Line 7 by striking the words "of a carrier
- 5 which" and inserting in lieu thereof the word "who".

SMALL of Johnson

On motion by Varley of Adair, the House adjourned until 9:00 a.m., Tuesday, February 1, 1972.

JOURNAL OF THE HOUSE

Twenty-third Calendar Day—Seventeenth Session Day

HALL OF THE HOUSE OF REPRESENTATIVES
DES MOINES, IOWA, TUESDAY, FEBRUARY 1, 1972

The House met pursuant to adjournment, Speaker Harbor in the chair.

Prayer was offered by the Reverend Marvin Lehman, pastor of the Immanuel United Church of Christ, Klemme, Iowa.

The Journal of Monday, January 31, 1972, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Merwin R. Dieckmann, Waterloo, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Bennett of Polk on request of Kinley of Polk.

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Thirty-five fifth grade students from Brody Junior High School, Des Moines, Iowa, accompanied by their instructors, Alice Carpenter and Mrs. Brubaker. By Hill of Polk.

Thirty-one sixth grade students from Kate Mitchell School, Ames, Iowa, accompanied by their instructor, Mrs. Mahon. By Egenes of Story.

Seventy students from Ogden Community School District with their instructors, Mr. Stone and Mr. Kieffin. By Nystrom of Boone.

Six Cub Scouts from Pack 36, Fairfax, Iowa, accompanied by their leaders, Mr. and Mrs. Neil Rohlena and Mrs. Ronald Neis. By Stanley of Linn.

PETITIONS FILED

The following petitions were received and placed on file:

By Schmeiser of Des Moines, from twenty-seven residents of Louisa County opposing the taxing of church property, the sale of liquor in grocery stores and legalizing gambling.

By Edelen of Emmet, from thirteen residents of Emmet County favoring an increase in the IPERS pension for all Iowa Public Employees.

INTRODUCTION OF JOINT RESOLUTION

House Joint Resolution 1005, by Blouin, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to persons disqualified from being electors.

Read first time and referred to committee on **constitutional amendments and reapportionment**.

INTRODUCTION OF BILLS

House File 1098, by Ellsworth, bill for an act related to the contents of a safety deposit box or other security enclosure of a decedent.

Read first time and referred to committee on **commerce**.

House File 1099, by committee on ways and means, a bill for an act providing for an appraisal staff and appraisal manual in the department of revenue.

Read first time and placed on the **calendar**.

House File 1100, by Camp and Kehe, a bill for an act relating to annual reversions of administrative appropriations.

Read first time and referred to committee on **appropriations**.

House File 1101, by Grassley, a bill for an act to legalize and validate proceedings for the establishment, organization, formation, and changes in the boundaries of merged area school systems.

Read first time and referred to committee on **judiciary**.

House File 1102, by Gluba, Blouin, Kelly, Kennedy, Knoblauch, Larson, Bray, Schwieger, and Ellsworth, a bill for an act relating to the hours during which alcoholic liquors and beer may be sold by liquor licensees and beer permittees.

Read first time and referred to committee on **law enforcement**.

House File 1103, by Logemann, a bill for an act relating to notice of termination of farm tenancies.

Read first time and referred to committee on **agriculture**.

House File 1104, by committee on social services, a bill for an act relating to protective eyeglass lenses.

Read first time and placed on the **calendar**.

House File 1105, by Kinley, a bill for an act to provide for compulsory basic protection for automobile accident victims and compulsory property protection for all registered motor vehicles, providing for the administrative practices and procedures necessary thereto, making certain acts unlawful and providing penalties.

Read first time and referred to committee on **commerce**.

House File 1106, by Scott, a bill for an act relating to tax-exempt property of charitable and nonprofit corporations.

Read first time and referred to committee on **ways and means**.

SENATE MESSAGES CONSIDERED

Senate File 1024, a bill for an act relating to the employment of county relief recipients on government owned properties, parks, and recreation centers in payment for and as a condition of granting relief.

Read first time and referred to committee on **county government**.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File 356, a bill for an act relating to permits to carry concealed weapons, and to provide punishment for those persons who violate the act.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File 471, a bill for an act relating to annual registration fee for urban transit vehicles.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File 1030, a bill for an act pertaining to the council of social services.

CARROLL A. LANE, Secretary

SENATE MESSAGE CONSIDERED
HOUSE AMENDMENT TO SENATE FILE 392
HOUSE RECEDES IN PART INSISTS IN PART

Strothman of Henry called up for further consideration **Senate File 392**, a bill for an act relating to eradication of hog cholera and the control and eradication of the swine diseases and the Senate message in which the Senate refused to concur in the House amendment.

Schroeder of Pottawattamie called up the motion to reconsider filed by him and Cochran of Webster and moved to reconsider the vote to recede from division 3 of the House amendment to Senate File 392 messaged to the Senate on June 19, 1971, and found on page 169 of the House Journal.

A non-record roll call was requested.

The ayes were 65, the nays 10.

The motion prevailed.

Schroeder of Pottawattamie moved that the House insist on the following division 3 of the House amendment to Senate File 392:

3. Page 4A, line 26, by inserting after the word "department" the words "and all native Iowa swine sold which are moved directly from farm to farm".

Varley of Adair moved the previous question on Senate File 392 and all amendments and motions filed thereto.

A non-record roll call was requested.

The ayes were 52, nays 30.

The motion having received a three-fifths majority prevailed.

On the Schroeder motion to insist on division 3 of the House amendment, roll call was requested by Priebe of Kossuth and Strothman of Henry.

On the question "Shall the House insist on division 3 of the House amendment?"

The ayes were, 54:

Blouin	Dougherty	Grassley	Kinley
Camp	Ellsworth	Hamilton	Knoblauch
Christensen	Ewell	Holden	Knoke
Clark	Fisher, C. R.	Jesse	Larson
Cochran	Franklin	Johnston	Lawson
Curtis	Freeman	Kelly	Mayberry
Den Herder	Gluba	Kennedy	McCormick

Middleswart	Rex	Scott	Tieden
Millen	Rodgers	Shaw	Uban
Mollett	Roorda	Skinner	Waugh
Monroe	Schmeiser	Small	Wells
Patton	Schroeder	Stromer	Winkelman
Priebe	Schwartz	Taylor	Mr. Speaker
Radl	Schwieger		

The nays were, 37:

Alt	Hill	Moffitt	Stanley
Andersen	Husak	Nielsen	Stokes
Bergman	Kruse	Norpel	Strand
Campbell	Lipsky	Nystrom	Strothman
Doyle	Logemann	Pellett	Trowbridge
Drake	McElroy	Pierson	Varley
Dunton	Mendenhall	Sargisson	Willits
Edelen	Menefee	Siglin	Wirtz
Egenes	Miller	Sorg	Wyckoff
Fischer, H. O.			

Absent or not voting, 9:

Anania	Goode	Kehe	Pelton
Bennett	Hansen	Kreamer	Welden
Bray			

The motion prevailed and the House insists on division 3 of the House amendment.

Stromer of Hancock called up the motion to reconsider filed by him on January 27, 1972, and moved to reconsider the vote to recede from division 2 of the House amendment.

A non-record roll call was requested.
The ayes were 71, nays 15.

The motion prevailed.

Stromer of Hancock moved that the House insist on the following division 2 of the House amendment:

2. Page 4A, by inserting after line 19 the following:

"All such movements of swine shall be completed within seventy-two hours unless an extension of time for movement is granted by the department."

A non-record roll call was requested.

The ayes were 77, nays 14.

The motion prevailed and the House insists on division 2 of the House amendment.

Strothman of Henry moved that the House recede from the following division 4 of the House amendment:

4. Page 5A, lines 5 and 6, by striking the words
" involving not more than two markets,".

A non-record roll call was requested.

The were 90, nays 0.

The motion prevailed and the House recedes from division 4 of the House amendment.

CONSIDERATION OF BILLS

HOUSE FILE 711 DEFERRED

House File 711, a bill for an act relating to registration and safety regulations for snowmobiles, was taken up for consideration.

Tieden of Clayton called up for consideration the amendment filed by the committee on conservation and recreation on January 27, 1972, and found on pages 200 to 206 of the House Journal.

(House File 711 and the committee amendment deferred and pending.)

REGULAR CALENDAR

The House resumed consideration of House File 726, a bill for an act imposing damage liability for the unlawful destruction, taking, or possession of wildlife owned by the State of Iowa.

Campbell of Washington offered the following amendment filed by him and Gluba of Scott and moved its adoption:

Amend House File 726, page 1, line 11 by inserting after the word "crane," the word "eagle".

The amendment was adopted.

Stanley of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 726)

The ayes were, 89:

Alt	Dougherty	Gluba	Kreamer
Andersen	Doyle	Grassley	Kruse
Bergman	Drake	Hamilton	Larson
Blouin	Dunton	Hansen	Lawson
Bray	Edelen	Hill	Lipsky
Camp	Egenes	Holden	Logemann
Campbell	Ellsworth	Jesse	Mayberry
Christensen	Ewell	Johnston	McCormick
Clark	Fischer, H. O.	Kelly	McElroy
Cochran	Fisher, C. R.	Kinley	Mendenhall
Curtis	Franklin	Knoblauch	Menefee
Den Herder	Freeman	Knoke	Middleswart

Millen	Priebe	Shaw	Trowbridge
Miller	Radl	Skinner	Varley
Moffitt	Rex	Sorg	Waugh
Mollett	Rodgers	Stanley	Welden
Monroe	Roorda	Stokes	Wells
Nielsen	Sargisson	Strand	Willits
Norpel	Schmeiser	Stromer	Winkelman
Nystrom	Schroeder	Strothman	Wirtz
Patton	Schwartz	Taylor	Wyckoff
Pellett	Scott	Tieden	Mr. Speaker
Pierson			

The nays were, 2:
Small Uban

Absent or not voting, 9:

Anania	Husak	Kennedy	Schwieger
Bennett	Kehe	Pelton	Siglin
Goode			

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

House File 556, a bill for an act relating to actions arising out of the rendition of services under the Uniform Anatomical Gift Act, with report of committee recommending passage, was taken up for consideration.

Speaker pro tempore Millen in the chair at 10:13 a.m.

Shaw of Scott moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 556)

The ayes were, 87:

Alt	Gluba	Mendenhall	Siglin
Andersen	Grassley	Menefee	Skinner
Bergman	Hamilton	Middleswart	Small
Blouin	Hansen	Miller	Sorg
Bray	Harbor	Moffitt	Stanley
Camp	Hill	Monroe	Stokes
Campbell	Holden	Nielsen	Strand
Christensen	Husak	Norpel	Stromer
Clark	Jesse	Nystrom	Strothman
Cochran	Johnston	Patton	Taylor
Curtis	Kelly	Pellett	Tieden
Dougherty	Kinley	Pierson	Trowbridge
Doyle	Knoblauch	Priebe	Varley
Drake	Knoke	Radl	Waugh
Dunton	Kreamer	Rodgers	Welden
Edelen	Kruse	Roorda	Wells
Egenes	Larson	Sargisson	Willits
Ellsworth	Lipsky	Schmeiser	Winkelman
Ewell	Logemann	Schwartz	Wirtz
Fischer, H. O.	Mayberry	Schwieger	Wyckoff
Fisher, C. R.	McCormick	Scott	Mr. Speaker
Freeman	McElroy	Shaw	(Millen)

The nays were, none.

Absent or not voting, 13:

Anania	Goode	Lawson	Rex
Bennett	Kehe	Mollett	Schroeder
Den Herder	Kennedy	Pelton	Uban
Franklin			

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

House File 569, a bill for an act relating to peer review, with report of committee recommending amendment and passage, was taken up for consideration.

Clark of Lee offered the following amendment filed by the committee on social services and moved its adoption:

Amend House File 569, page 2, by striking lines 2 through 16 and inserting in lieu thereof the following:

"1. 'Peer review' means evaluation of the professional services referred to under chapter two hundred forty-nine A (249A) of the Code of a person engaged in the practice of medicine and surgery, podiatry, osteopathy, osteopathic medicine and surgery, chiropractic, physical therapy, nursing, dentistry, dental hygiene, optometry and pharmacy.

2. 'Peer review committee' means one or more persons acting in a peer review capacity who also serves as an officer, director, trustee, agent or member of any of the following:

- a. A state or local professional society of a profession for which there is peer review;
 - b. Any organization approved for peer review purposes by such a professional society;
 - c. The medical staff of any licensed hospital;
- or

- d. The state board of medical examiners.

Sec. 2. IMMUNITY FROM LIABILITY. No person shall".

The amendment was adopted.

Clark of Lee moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 569)

The ayes were, 87:

Alt	Freeman	McCormick	Siglin
Andersen	Gluba	McElroy	Skinner
Bergman	Grassley	Mendenhall	Small
Blouin	Hamilton	Menefee	Sorg
Bray	Hansen	Middleswart	Stanley
Camp	Harbor	Miller	Stokes
Campebl	Hill	Moffitt	Strand
Christensen	Holden	Monroe	Stromer
Clark	Husak	Nielsen	Strothman
Cochran	Jesse	Norpel	Tieden
Curtis	Johnston	Nystrom	Trowbridge
Den Herder	Kelly	Patton	Uban
Dougherty	Kinley	Pellett	Varley
Doyle	Knoblauch	Pierson	Waugh
Drake	Knoke	Priebe	Welden
Dunton	Kreamer	Radl	Wells
Edelen	Kruse	Rodgers	Willits
Egenes	Larson	Sargisson	Winkelman
Ellsworth	Lawson	Schmeiser	Wirtz
Fischer, H. O.	Lipsky	Schroeder	Wyckoff
Fisher, C. R.	Logemann	Schwartz	Mr. Speaker
Franklin	Mayberry	Scott	(Millen)

The nays were, 1:

Roorda

Absent or not voting, 12:

Anania	Goode	Mollett	Schwieger
Bennett	Kehe	Pelton	Shaw
Ewell	Kennedy	Rex	Taylor

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

CONSIDERATION OF JOINT RESOLUTION

House Joint Resolution 9, a joint resolution relating to the effective date of laws, with report of committee recommending passage, was taken up for consideration.

Grassley of Butler moved that the joint resolution be read a last time now and placed upon its passage which motion prevailed and the joint resolution was read a last time.

House Joint Resolution 9, a joint resolution relating to the effective date of laws.

Be It Resolved by the General Assembly of the State of Iowa:

Section 1. The following amendment to the Constitution of the State of Iowa is hereby proposed:

Section twenty-six (26) of Article three (III) of the Constitution of the State of Iowa is hereby repealed and the following adopted in lieu thereof:

“An Act of a general assembly passed at a regular session shall take effect at such time as the general assembly shall deem appropriate as stated in the Act. An Act for which no time is stated shall become effective on the first day of July next after its passage. An Act passed at a special session of a general assembly shall take effect at such time as the general assembly shall deem appropriate as stated in the Act or if no time is stated the Act shall take effect ninety days after adjournment of the special session of the general assembly.”

Sec. 2. The foregoing amendment to the Constitution of the State of Iowa is hereby referred to the general assembly to be chosen at the next general election for members of the general assembly and the secretary of state is directed to cause the same to be published for three consecutive months previous to the date of said election as provided by law.

On the question “Shall the joint resolution be adopted and agreed to?” (H.J.R. 9)

The ayes were, 91:

Alt	Freeman	McElroy	Shaw
Andersen	Gluba	Mendenhall	Siglin
Bergman	Grassley	Menefee	Skinner
Blouin	Hamilton	Middleswart	Small
Bray	Hansen	Miller	Sorg
Camp	Harbor	Moffitt	Stanley
Campbell	Hill	Monroe	Stokes
Christensen	Holden	Nielsen	Strand
Clark	Husak	Norpel	Stromer
Cochran	Jesse	Nystrom	Strothman
Curtis	Johnston	Patton	Taylor
Dougherty	Kelly	Pellett	Tieden
Franklin	Kinley	Pierson	Trowbridge
Doyle	Knoblauch	Priebe	Uban
Drake	Knoke	Radl	Varley
Dunton	Kreamer	Rodgers	Waugh
Edelen	Kruse	Roorda	Welden
Egenes	Larson	Sargisson	Wells
Ellsworth	Lawson	Schmeiser	Willits
Ewell	Lipsky	Schroeder	Winkelman
Fischer, H. O.	Logemann	Schwartz	Wirtz
Fisher, C. R.	Mayberry	Schwieger	Wyckoff
Franklin	McCormick	Scott	

The nays were, 1:

Mr. Speaker
(Millen)

Absent or not voting, 8:

Anania	Goode	Kennedy	Pelton
Bennett	Kehe	Mollett	Rex

The joint resolution having received a constitutional majority was declared to have been adopted and agreed to by the House.

House File 1032, a bill for an act relating to resignations of school board members, with report of committee recommending amendment and passage, was taken up for consideration.

Tieden of Clayton offered the following amendment filed by the committee on schools and moved its adoption:

Amend House File 1032, page 1, line 15, by striking the word "preceding".

The amendment was adopted.

Pellett of Cass moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1032)

The ayes were, 90:

Andersen	Hamilton	Menefee	Shaw
Bergman	Hansen	Middleswart	Siglin
Blouin	Harbor	Miller	Skinner
Bray	Hill	Moffitt	Small
Camp	Holden	Mollett	Sorg
Campbell	Husak	Monroe	Stanley
Christensen	Jesse	Nielsen	Stokes
Clark	Johnston	Norpel	Strand
Cochran	Kelly	Nystrom	Stromer
Curtis	Kennedy	Patton	Strothman
Den Herder	Kinley	Pellett	Taylor
Dougherty	Knoblauch	Pelton	Trowbridge
Doyle	Knoke	Pierson	Uban
Drake	Kreamer	Priebe	Varley
Dunton	Kruse	Radl	Waugh
Edelen	Larson	Rex	Welden
Egenes	Lawson	Rodgers	Wells
Ellsworth	Lipsky	Roorda	Willits
Ewell	Logemann	Sargisson	Winkelman
Fischer, H. O.	Mayberry	Schmeiser	Wyckoff
Fisher, C. R.	McCormick	Schwartz	Mr. Speaker
Freeman	McElroy	Schwieger	(Millen)
Grassley	Mendenhall	Scott	

The nays were, none.

Absent or not voting, 10:

Alt	Franklin	Kehe	Tieden
Anania	Gluba	Schroeder	Wirtz
Bennett	Goode		

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

House File 1045, a bill for an act changing the local budget certification date of school districts, with report of committee recommending amendment and passage, was taken up for consideration.

Stromer of Hancock offered the following amendment filed by the committee on schools and moved its adoption:

Amend House File 1045, page 2, by striking all of lines 15 through 19.

The amendment was adopted.

Lipsky of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1045)

The ayes were, 95:

Alt	Gluba	Menefee	Shaw
Andersen	Grassley	Middleswart	Siglin
Bergman	Hamilton	Miller	Skinner
Blouin	Hansen	Moffitt	Small
Bray	Harbor	Mollett	Sorg
Camp	Hill	Monroe	Stanley
Campbell	Holden	Nielsen	Stokes
Christensen	Husak	Norpel	Strand
Clark	Jesse	Nystrom	Stromer
Cochran	Johnston	Patton	Strothman
Curtis	Kelly	Pellett	Taylor
Den Herder	Kennedy	Pelton	Tieden
Dougherty	Kinley	Pierson	Trowbridge
Doyle	Knoke	Priebe	Uban
Drake	Kreamer	Radl	Varley
Dunton	Kruse	Rex	Waugh
Edelen	Larson	Rodgers	Welden
Egenes	Lawson	Roorda	Wells
Ellsworth	Lipsky	Sargisson	Willits
Ewell	Logemann	Schmeiser	Winkelman
Fischer, H. O.	Mayberry	Schroeder	Wirtz
Fisher, C. R.	McCormick	Schwartz	Wyckoff
Franklin	McElroy	Schwieger	Mr. Speaker
Freeman	Mendenhall	Scott	(Millen)

The nays were, none.

Absent or not voting, 5:

Anania	Goode	Kehe	Knoblauch
Bennett			

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

Senate File 431, a bill for an act relating to hunting restrictions, with report of committee recommending amendment and passage, was taken up for consideration.

Christensen of Union offered the following amendment filed by the committee on conservation and recreation and moved its adoption:

Amend Senate File 431 as follows:

Amend page two (2), line twenty-one (21), by striking all after the word "fifteenth" and all of line twenty-two (22).

The amendment was adopted.

Bray of Scott offered the following amendment filed by him:

Amend Senate File 431, as passed by the Senate, page 2, by inserting after line 27 the following:

"Section 2. Chapter three hundred fifty (350), Code 1971, is hereby repealed."

Kruse of O'Brien rose on a point of order that the amendment was not germane.

The Speaker ruled the point not well taken and the amendment germane.

Bray of Scott moved the adoption of his amendment.

A non-record roll call was requested.

The ayes were 37, nays 47.

The amendment lost.

Small of Johnson offered the following amendment from the floor:

Amend Senate File 431, as amended and passed by the Senate, on page 1, by striking lines 6 through 25, inclusive, and on page 2, lines 1 through 21, inclusive, and inserting in lieu thereof the following:

"109.48. RESTRICTIONS. No person, except as otherwise provided by law, shall willfully disturb, pursue, shoot, kill, take or attempt to take or have in possession any of the following game birds or animals except within the open season established by the commission: gray or fox squirrel, bobwhite quail, cottontail or jack rabbit, duck, snipe, pheasant, goose, woodcock, partridge, coot, rail, ruffed grouse, wild turkey, or deer. The seasons, bag limits, possession limits and locality shall be established by the commission under the authority of sections one hundred seven point twenty-four (107.24), one hundred nine point thirty-eight (109.38), and one hundred nine point thirty-nine (109.39), of the Code."

Varley of Adair moved the previous question on Senate File 431 and all amendments and motions filed thereto.

A non-record roll call was requested.

The ayes were 49, nays 32.

The motion having received a three-fifths majority prevailed.

Small of Johnson moved the adoption of his amendment.

A non-record roll call was requested.

The ayes were 37, nays 51.

The amendment lost.

Gluba of Scott offered the following Gluba-Campbell amendment from the floor and moved its adoption:

Amend Senate File 431, as amended and passed by the Senate, as follows:

1. Page 2, by inserting after line 27 the following new section:

“Sec. 2. Section one hundred nine point thirty-two (109.32), Code 1971, is amended by adding the following new paragraph:

‘Any person convicted of willfully killing, injuring, catching or possessing any eagle, hawk, whooping crane, swan, or owl, or the nest, eggs, or plumage of any eagle, hawk, whooping crane, swan, or owl, in violation of the provisions of this chapter or any administrative order of the commission, shall be fined not less than one hundred dollars nor more than one thousand dollars or be imprisoned in the county jail not more than thirty days. The court, in addition to any other sentence imposed, shall revoke the hunting license of such person. The commission shall refuse the issuance of a hunting license to such person for a period of not less than three years.’”

2. Amend the title, page 1, line 1, by inserting after the word “restrictions” the words “and imposing penalties for the willful killing, injuring, catching or possessing certain nongame birds”.

The amendment was adopted.

Tieden of Clayton asked and received unanimous consent to withdraw the amendment filed by him on May 18, 1971, and found on page 1556 of the House Journal.

Christensen of Union moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question “Shall the bill pass?” (S.F. 431)

The ayes were, 84:

Andersen	Hamilton	Mendenhall	Scott
Bergman	Hansen	Menefee	Siglin
Blouin	Harbor	Middleswart	Sorg
Bray	Hill	Miller	Stanley
Camp	Holden	Mollett	Stokes
Campbell	Jesse	Nielsen	Strand
Christensen	Johnston	Norpel	Stromer
Clark	Kelly	Nystrom	Strothman
Cochran	Kennedy	Patton	Taylor
Curtis	Kinley	Pellett	Tieden
Den Herder	Knoblauch	Pierson	Trowbridge
Dougherty	Knoke	Priebe	Varley
Doyle	Kreamer	Radl	Waugh
Dunton	Kruse	Rex	Welden
Egenes	Larson	Rodgers	Wells
Ellsworth	Lawson	Roorda	Willits
Ewell	Lipsky	Sargisson	Winkelman
Fisher, C. R.	Logemann	Schmeiser	Wirtz
Franklin	Mayberry	Schroeder	Wyckoff
Freeman	McCormick	Schwartz	Mr. Speaker
Gluba	McElroy	Schwieger	(Millen)
Grassley			

The nays were, 6:

Edelen	Moffitt	Small	Uban
Husak	Skinner		

Absent or not voting, 10:

Alt	Drake	Kehe	Pelton
Anania	Fischer, H. O.	Monroe	Shaw
Bennett	Goode		

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

House File 1084, a bill for an act to provide that rural water districts shall not be subject to regulation by the Iowa state commerce commission, was taken up for consideration.

Kruse of O'Brien offered the following Kruse-Bergman amendment from the floor and moved its adoption:

Amend House File 1084, line 17, by striking the words and figures "*chapter 357A*" and inserting in lieu thereof the words and figures "*chapters 357A and 504A*".

The amendment was adopted.

Skinner of Polk moved that House File 1084 be referred to the committee on commerce.

A non-record roll call was requested.

The ayes were 28, nays 51.

The motion lost.

Kruse of O'Brien moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1084)

The ayes were, 64:

Alt	Freeman	Menefee	Scott
Andersen	Grassley	Middleswart	Siglin
Bergman	Hamilton	Miller	Sorg
Blouin	Hansen	Moffitt	Stokes
Camp	Hill	Nielsen	Strand
Campbell	Holden	Patton	Stromer
Christensen	Husak	Pellett	Strothman
Clark	Knoblauch	Pierson	Taylor
Cochran	Knoke	Priebe	Tieden
Curtis	Kreamer	Radl	Varley
Den Herder	Kruse	Rex	Waugh
Dougherty	Lawson	Roorda	Welden
Doyle	Lipsky	Sargisson	Winkelman
Dunton	Mayberry	Schmeiser	Wyckoff
Edelen	McElroy	Schwartz	Mr. Speaker
Ellsworth	Mendenhall	Schwieger	(Millen)
Fisher, C. R.			

The nays were, 23:

Bray	Jesse	Mollett	Stanley
Egenes	Johnston	Monroe	Trowbridge
Ewell	Kelly	Norpel	Uban
Fischer, H. O.	Kennedy	Rodgers	Wells
Franklin	Kinley	Skinner	Willits
Gluba	Larson	Small	

Absent or not voting, 13:

Anania	Harbor	McCormick	Schroeder
Bennett	Kehe	Nystrom	Shaw
Drake	Logemann	Pelton	Wirtz
Goode			

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

REPORT OF COMMITTEE

Fischer of Grundy, from the committee on commerce, submitted the following report:

MR. SPEAKER: Your committee on commerce to whom was referred House File 478, a bill for an act relating to a statute of limitations on action to recover from uninsured motorist insurance, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same **do pass**.

FISCHER of Grundy, Chairman

AMENDMENTS FILED

- 1 Amend House File 501 as follows:
- 2 1. By striking everything after the enacting clause

3 and inserting in lieu thereof the following:

4 Section 1. Chapter one hundred five A (105A), Code
5 1971, is amended by adding the following new section:

6 "TEMPORARY INJUNCTIONS. State and local civil rights
7 commissions may obtain temporary injunctions prohibiting
8 violations of this chapter, with or without bond as deter-
9 mined by the court, on behalf of the commission or on
10 behalf of the complainants before the commission. The
11 court is empowered to grant the injunction and may set
12 the application for hearing and prescribe notice, or, if
13 the court determines from the application that irreparable
14 harm may occur, the court may grant the injunction without
15 hearing and notice. An injunction granted without hearing
16 shall be promptly set for hearing upon application of the
17 defendant.

18 No temporary injunction shall issue unless the state or
19 local civil rights commission has first conducted an
20 investigation and the facts of the investigation are shown
21 by an affidavit attached to the petition and at least a
22 majority of the total members of the commission has
23 authorized obtaining an injunction, which shall be shown
24 by verification of an official of the commission on the
25 petition."

26 2. Page 1, line 2, by amending the title by striking
27 line 2 and inserting in lieu thereof the words "civil
28 rights violations".

WELLS of Linn

1 Amend House File 1064 as follows:

2 1. Page 1, line 12, by striking the words "state
3 department of health" and inserting in lieu thereof
4 the words "division of fire protection of the depart-
5 ment of public safety".

6 2. Page 1, line 14, by striking the words "state
7 department of health" and inserting in lieu thereof
8 the words "division of fire protection of the depart-
9 ment of public safety".

SCOTT of Cerro Gordo

1 Amend the conservation and recreation committee
2 amendment to House File 711, dated January 28, 1972,
3 by striking all of lines 251 through 256 inclusive.

UBAN of Black Hawk

1 Amend the committee on conservation and recreation
2 amendment to House File 711, filed January 27, 1972,
3 by striking all of lines 172 through 182 and inserting
4 in lieu thereof the following:

5 "Sec. 9. Section three hundred twenty-one G
6 point thirteen (321G.13), Code 1971, is amended by
7 adding thereto the following new subsections:"

KRUSE of O'Brien
WYCKOFF of Benton

- 1 Amend the committee on conservation and recreation
- 2 amendment to House File 711, filed January 27, 1972,
- 3 by striking from lines 151 and 152 the words "except
- 4 when operated or used in an authorized special event,".

HOLDEN of Scott

- 1 Amend House File 1044, page 2, by adding after
- 2 line 4 the following:
- 3 *"However, if the property described is condemned,*
- 4 *the condemning authority may take possession of the*
- 5 *property either after the damages have been finally*
- 6 *determined and paid or one hundred eighty days after*
- 7 *the compensation commission has determined and filed*
- 8 *its award, in which event all of the appraisement of*
- 9 *damages shall be paid to the property owner before the*
- 10 *dispossession can take place.*
- 11 Sec. 2. Section four hundred six point seven
- 12 (406.7), Code 1971, is amended by adding the following:
- 13 *This section shall not prevent refuse from being*
- 14 *composted and reused as fertilizer, for heat generation*
- 15 *by private industry or public utilities, nor private*
- 16 *individuals from conducting private salvage operations.*
- 17 *This section shall not prevent a private contractor*
- 18 *to provide collection and operation of a sanitary*
- 19 *landfill in lieu of a county or joint counties*
- 20 *sanitary landfill."*

TAYLOR of Dubuque

- 1 Amend House File 1057 as follows:
- 2 Lines 9 and 10, by striking the words "after yielding
- 3 the right-of-way to any approaching railroad traffic"
- 4 and inserting in lieu thereof the words "and, not-
- 5 withstanding any other provisions of law, may, where
- 6 necessary, use the improved portion of such estab-
- 7 lished crossing after yielding to all oncoming
- 8 traffic."

CHRISTENSEN of Union
LOGEMANN of Worth

- 1 Amend the committee on environmental preservation
- 2 amendment, filed January 21, 1972, to Senate File 85,
- 3 as passed and reprinted by the Senate, as follows:
- 4 1. Insert in line 91 after the word "pesticide"
- 5 the following " , including petroleum based pesti-
- 6 cides,".
- 7 2. By striking from line 96 the words " , and
- 8 petroleum products".

UBAN of Black Hawk
LAWSON of Cerro Gordo

- 1 Amend Senate File 1013 as follows:
- 2 1. Page 1, line 5, by striking the words and figure
- 3 "unnumbered paragraph six (6),".
- 4 2. Page 1, by striking lines 7 through 20, inclu-

5 sive, and inserting in lieu thereof the following:

6 490A.6 CHANGE OF RATES—HEARING. No public utility
7 subject to rate regulation shall make effective any
8 new or changed rate, charge, schedule or regulation
9 except by filing the same with the commission [at least
10 thirty day prior to the effective date thereof. The
11 commission, for good cause shown, may allow changes
12 in rates, charges, schedules or regulations to become
13 effective on less than thirty days' notice] *and, after*
14 *public hearings, the commission issues an order*
15 *authorizing new or changed rates, charges, schedules,*
16 *or regulations.*

17 All public utilities, including those exempted from
18 rate regulation by the provisions of section 490A.1,
19 shall give written notice of any proposed increase of
20 any rate or charge to all affected customers served
21 by the public utility at least thirty days prior to
22 the effective date thereof *and, in cases of utilities*
23 *subject to rate regulation, at least thirty days prior*
24 *to filing the proposed increase with the commission.*
25 If the public utility is subject to rate regulation,
26 the notice to affected customers shall also state that
27 the customer has a right to file a written objection
28 to such rate increase. [and that he may request the
29 commission to hold] *It is mandatory that a public hearing*
30 *be held to determine if such rate increase should be*
31 *allowed and the notice to each customer shall state*
32 *such fact.* The commission shall prescribe the manner
33 and method that the written notice to each affected
34 customer of the public utility shall be served.

35 Nothing in this chapter shall be taken to prohibit
36 a public utility from establishing a sliding scale of
37 rates and charges or from making provision for the auto-
38 matic and adjustment of rates and charges for public utility
39 service provided that a schedule showing such sliding
40 scale or automatic adjustment of rates and charges is
41 first filed with the commission.

42 Whenever there is filed with the commission by any
43 public utility subject to rate regulation any new or
44 changed rates, charges, schedules or regulations, the
45 commission [may, prior to the effective date thereof,]
46 shall docket the case as a formal proceeding and set
47 the case for hearing. The commission shall give such
48 notice of such formal proceedings as it deems
49 appropriate. *The decision of the commission shall be*
50 *made within twelve months following the filing of the*
51 *application for rate change with the commission, except,*
52 *that the commission may, for cause, delay the decision*
53 *beyond twelve months.*

54 After the initiation of such formal proceedings and
55 pending the final decision thereon, the commission [may,
56 at any time before they become effective,] shall suspend
57 the operation of such new or changed rates, charges,
58 schedules or regulations[, but not] for a period [longer
59 than] of twelve months from the date when they would

60 have become effective if not suspended.

61 However, if the commission has not issued the order
62 on the rate application filed by the public utility
63 within twelve months from the date the application was
64 filed, a public utility shall have the right [at any
65 time after said rates, charges, schedules or regulations
66 have been suspended for ninety days] to place in effect
67 any or all of such suspended rates, charges, schedules
68 or regulations by filing with the commission a bond
69 or other undertaking approved by the commission
70 conditioned upon the refund in a manner to be prescribed
71 by the commission of any amounts collected thereunder
72 in excess of the amounts which would have been collected
73 under rates, charges, schedules or regulations finally
74 approved by the commission. *The commission shall*
75 *establish a rate of interest to be paid by a public*
76 *utility to persons receiving refunds. Such rate of*
77 *interest shall be not less than five percent per annum*
78 *nor more than nine percent per annum.*

79 If, after hearing and decision on all issues pre-
80 sented for determination in such rate proceeding, the
81 commission shall find the rates, charges, schedules
82 or regulations of the utility to be unlawful, the same
83 shall be set aside and the commission shall by order
84 authorize and direct the utility to file rates, charges,
85 schedules or regulations which, when approved by the
86 commission and placed in effect, will satisfy the
87 requirements of this chapter. The rates, charges,
88 schedules or regulations so approved shall be lawful
89 and effective unless changed as herein provided. In
90 the event a petition for rehearing is filed or an appeal
91 is taken from an order concerning rates, charges,
92 schedules or regulations which are in effect under bond,
93 those rates, charges, schedules or regulations may be
94 continued in effect by the utility under the terms of
95 a bond or other undertaking pending final determination
96 of the application for rehearing or appeal from an order
97 of the commission.

98 *The provisions of this section shall apply in all*
99 *cases in which the rate application is filed on or after*
100 *July 1, 1972. However, the commission shall establish*
101 *the rate of interest to be paid by a public utility*
102 *to persons receiving refunds on new rates, charges,*
103 *schedules, and regulations implemented prior to July*
104 *1, 1972 and being collected on or after July 1, 1972.*

105 3. Amend the title, page 1, line 1, by striking
106 everything after the word "relating" and inserting in
107 lieu thereof the words "to public utility rate
108 regulation."

DUNTON of Keokuk

On motion by Varley of Adair, the House adjourned until 9:00
a.m., Wednesday, February 2, 1972.

JOURNAL OF THE HOUSE

Twenty-fourth Calendar Day—Eighteenth Session Day

HALL OF THE HOUSE OF REPRESENTATIVES
DES MOINES, IOWA, WEDNESDAY, FEBRUARY 2, 1972

The House met pursuant to adjournment, Speaker pro tempore Millen in the chair.

Prayer was offered by the Reverend R. Dean Dixon, pastor of the First Baptist Church, Boone, Iowa.

The Journal of Tuesday, February 1, 1972, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. R. L. Zoutendam, Sheldon, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Kreamer of Polk for February 2, 3, and 4 on request of Hansen of Black Hawk; Anania of Polk on request of Norpel of Jackson.

PRESENTATION OF VISITORS

Christensen of Union presented to the House the Honorable Arlo Hullinger, former member of the House during the Sixty-first and Sixty-second General Assemblies representing Decatur-Wayne Counties.

PETITIONS FILED

The following petitions were received and placed on file:

By Franklin of Polk and Jesse of Polk, a resolution from the North High School Student Council, Des Moines, Iowa, supporting House File 1011 relating to full adult rights for eighteen-year-olds.

By Logemann of Worth, from five members of the Thompson Community School Board, Thompson opposing the abolishment

of the present county and joint county systems and their replacement with area educational systems.

By Logemann of Worth, from the following school board members: Seven members from the Joint County School System of Cerro Gordo, Floyd, Mitchell and Worth Counties, Mason City, Iowa; seven members from Northwood-Kensett Community School District, Northwood, Iowa; eight members of St. Ansgar Community School District, St. Ansgar, Iowa; and six members of Osage Community School District, Osage, Iowa, favoring the abolishment of the present county and joint county school systems in Iowa and replacing them simultaneously with a state-wide system of from twelve to sixteen educational service units authorized to provide services to local schools.

ADOPTION OF COMMITTEE REPORT

The Chief Clerk announced the adoption of report of committee on House File 478, under Rule 35.

INTRODUCTION OF BILLS

House File 1107, by Rex, a bill for an act relating to professional teachers meetings, demonstration teaching, and field work.

Read first time and referred to committee on **schools**.

House File 1108, by Tieden, a bill for an act related to the destruction of undesirable fish.

Read first time and referred to committee on **conservation and recreation**.

House File 1109, by Fischer of Grundy (Davis), a bill for an act relating to inducements to open or add to savings accounts and providing penalties.

Read first time and referred to committee on **commerce**.

House File 1110, by Gluba (Glenn), a bill for an act relating to the rate regulation of public utilities.

Read first time and referred to committee on **commerce**.

House File 1111, by Blouin, a bill for an act to make an appropriation from the general fund of the state to merged area I.

Read first time and referred to committee on **appropriations**.

SENATE MESSAGES CONSIDERED

Senate File 356, a bill for an act relating to permits to carry concealed weapons, and to provide punishment for those persons who violate the Act.

Read first time and referred to committee on **law enforcement**.

Senate File 471, a bill for an act relating to the annual registration fee for urban transit company vehicles.

Read first time and referred to committee on **transportation**.

Senate File 1030, a bill for an act pertaining to the council of social services.

Read first time and referred to committee on **county government**.

CONFERENCE COMMITTEE APPOINTED

(Senate File 392)

The Speaker announced the appointment of Strothman of Henry, chairman; Schroeder of Pottawattamie, Camp of Clinton, and Dunton of Keokuk, on the part of the House, as conferees concerning Senate File 392.

EXPLANATION OF VOTE

I was absent from the House chamber on January 24, 25, 26, 27 and 28 because of illness. Had I been present I would have voted as follows on the following bills: "Aye" on House Files 465, 494, 574, 1036, 1052, Senate Files 77 and 203; "Nay" on House Files 472 and 1007.

SARGISSON of Woodbury

HOUSE CONCURRENT RESOLUTION 105

By Ewell

Whereas, the federal government, state government, county government, and municipal government have overwhelmingly recognized and declared a need for well-educated and well-prepared law enforcement personnel to meet the challenge of crime and of rapidly changing laws; and

Whereas, law enforcement personnel express a desire for educational programs at the college level for purposes of professional improvement, promotion, retention, and retirement; and

Whereas, considerable interest is being demonstrated by the Black Hawk County board of supervisors and many others who recognize the need for highly-trained law enforcement personnel; and

Whereas, the University of Northern Iowa is located in a large metropolitan county that would facilitate cooperative assignments in police de-

partments, juvenile and adult correction facilities, and probation, parole, and social work; *Now Therefore,*

Be It Resolved by the House of Representatives, the Senate Concurring, That the Sixty-fourth General Assembly of the State of Iowa urges the board of regents to establish a college of criminal justice for the purpose of preparing professional law enforcement personnel; and

Be It Further Resolved, That the college of criminal justice be established at the University of Northern Iowa, providing no increase in appropriations is necessary; and

Be It Further Resolved, That copies of this resolution be transmitted to the Governor, the members of the board of regents, and the president of the University of Northern Iowa.

Laid over unde Rule 25.

HOUSE CONCURRENT RESOLUTION 106

By Ewell

Whereas, the federal Omnibus Crime Bill of 1968 each year channels funds into the State of Iowa through the Iowa Crime Commission; and

Whereas, the Iowa Crime Commission received during 1970 and 1971, several million dollars for crime prevention and law-enforcement education; and

Whereas, a college of criminal justice is needed in Iowa to professionalize law enforcement by formalizing law enforcement education on the degree-granting university level; and

Whereas, the University of Northern Iowa is located in a large metropolitan county that would facilitate cooperative assignments in police departments, juvenile and adult correction facilities, and probation, parole, and social work, *Now Therefore,*

Be It Resolved by the House, the Senate Concurring, That the Sixty-fourth General Assembly of the State of Iowa urge the Iowa Crime Commission to designate a portion of federal funds received, to the University of Northern Iowa at Cedar Falls, limited to the use of establishing and operating a College of Criminal Justice, or for course work germane to law enforcement and correction.

Be It Further Resolved, That copies of this resolution be transmitted to the members of the Iowa Crime Commission, the Board of Regents, the Governor, and the President of the University of Northern Iowa.

Laid over under Rule 25.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File 391, a bill for an act relating to the bonding of operators of slaughterhouses.

CARROLL A. LANE, Secretary

SENATE AMENDMENT TO HOUSE FILE 391

- 1 Amend House File 391 as passed by the House as follows:
- 2 1. Page 2, line 31, by striking the word "fifty" and insert-
- 3 ing in lieu thereof the words "twenty-five".
- 4 2. Page 2, line 32, by striking the word "twenty" and insert-
- 5 ing in lieu thereof the word "ten".
- 6 3. Page 4, line 4, by striking the word "fifty" and inserting
- 7 in lieu thereof the words "two hundred".
- 8 4. Page 4, line 5, by striking the word "fifty" and inserting
- 9 in lieu thereof the words "two hundred".
- 10 5. Page 4, line 6, by striking the word "fifty" and inserting
- 11 in lieu thereof the words "two hundred".
- 12 6. Page 6, by adding after line 4 the following new subsection:
- 13 "3. In lieu of a bond or deposit, the applicant may file
- 14 an annual sworn financial statement certified by a certified
- 15 public accountant showing all assets and liabilities. The
- 16 statement shall show the applicant's current net worth to be
- 17 not less than five times the amount of the bond or deposit
- 18 otherwise required by this section. If upon examination of any
- 19 financial statement the department considers that the applicant
- 20 has furnished insufficient proof of financial responsibility,
- 21 a written order may be issued directing the applicant to pro-
- 22 vide the bond or deposit required by this section. Failure to
- 23 comply with an order shall be cause for revocation or suspension
- 24 of license. It shall be unlawful for any officer or employee
- 25 of the state of Iowa to divulge or to make known in any manner
- 26 whatever not provided by law to any person the information
- 27 contained in any financial statement."
- 28 7. Page 6, line 5, by striking the word "authorized" and
- 29 inserting in lieu thereof the word "required".

REFERRED TO COMMITTEE ON APPROPRIATIONS
(House File 1099)

Den Herder of Sioux asked and received unanimous consent to invoke Rule 31 on House File 1099 and that the bill be referred to the committee on appropriations.

CONSIDERATION OF BILLS

REGULAR CALENDAR

House File 1087, a bill for an act to prescribe a penalty for violation of laws relating to the registration of a motor carrier's interstate transportation service, was taken up for consideration.

Small of Johnson offered the following amendment filed by him and moved its adoption:

Amend House File 1087, as follows:

1. Line 7 by inserting after the word "Every" the word "carrier."

2. Line 7 by striking the words "of a carrier which" and inserting in lieu thereof the word "who".

The amendment was adopted.

Curtis of Cherokee moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1087)

The ayes were, 83:

Andersen	Gluba	Moffitt	Shaw
Bergman	Grassley	Mollett	Small
Blouin	Hamilton	Monroe	Sorg
Bray	Hansen	Nielsen	Stanley
Camp	Harbor	Norpel	Stokes
Campbell	Hill	Nystrom	Strand
Christensen	Holden	Patton	Stromer
Cochran	Husak	Pellett	Strothman
Curtis	Kinley	Pelton	Taylor
Den Herder	Knoblauch	Pierson	Tieden
Dougherty	Knoke	Priebe	Trowbridge
Doyle	Kruse	Radl	Varley
Drake	Lipsky	Rex	Waugh
Dunton	Logemann	Rodgers	Welden
Edelen	Mayberry	Roorda	Wells
Egenes	McCormick	Sargisson	Willits
Ellsworth	McElroy	Schmeiser	Winkelman
Ewell	Mendenhall	Schroeder	Wirtz
Fischer, H. O.	Menefee	Schwartz	Wyckoff
Fisher, C. R.	Middleswart	Schwieger	Mr. Speaker
Franklin	Miller	Scott	(Millen)

The nays were, none.

Absent or not voting, 17:

Alt	Goode	Kelly	Lawson
Anania	Jesse	Kennedy	Siglin
Bennett	Johnston	Kreamer	Skinner
Clark	Kehe	Larson	Uban
Freeman			

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

CONSIDERATION OF BILLS

UNFINISHED BUSINESS CALENDAR

The House resumed consideration of **Senate File 1013**, a bill for an act relating to the rate of interest on public utility refunds to customers.

Dunton of Keokuk offered the following amendment filed by him:

- 1 Amend Senate File 1013 as follows:
- 2 1. Page 1, line 5, by striking the words and figure

3 “unnumbered paragraph six (6),”.

4 2. Page 1, by striking lines 7 through 20, inclu-
5 sive, and inserting in lieu thereof the following:

6 490A.6 CHANGE OF RATES—HEARING. No public utility
7 subject to rate regulation shall make effective any
8 new or changed rate, charge, schedule or regulation
9 except by filing the same with the commission [at least
10 thirty days prior to the effective date thereof. The
11 commission, for good cause shown, may allow changes
12 in rates, charges, schedules or regulations to become
13 effective on less than thirty days' notice] *and, after*
14 *public hearings, the commission issues an order*
15 *authorizing new or changed rates, charges, schedules,*
16 *or regulations.*

17 All public utilities, including those exempted from
18 rate regulation by the provisions of section 490A.1,
19 shall give written notice of any proposed increase of
20 any rate or charge to all affected customers served
21 by the public utility at least thirty days prior to
22 the effective date thereof *and, in cases of utilities*
23 *subject to rate regulation, at least thirty days prior*
24 *to filing the proposed increase with the commission.*
25 If the public utility is subject to rate regulation,
26 the notice to affected customers shall also state that
27 the customer has a right to file a written objection
28 to such rate increase. [and that he may request the
29 commission to hold] *It is mandatory that a public hearing*
30 *be held to determine if such rate increase should be*
31 *allowed and the notice to each customer shall state*
32 *such fact.* The commission shall prescribe the manner
33 and method that the written notice to each affected
34 customer of the public utility shall be served.

35 Nothing in this chapter shall be taken to prohibit
36 a public utility from establishing a sliding scale of
37 rates and charges or from making provision for the auto-
38 matic and adjustment of rates and charges for public utility
39 service provided that a schedule showing such sliding
40 scale or automatic adjustment of rates and charges is
41 first filed with the commission.

42 Whenever there is filed with the commission by any
43 public utility subject to rate regulation any new or
44 changed rates, charges, schedules or regulations, the
45 commission [may, prior to the effective date thereof,]
46 shall docket the case as a formal proceeding and set
47 the case for hearing. The commission shall give such
48 notice of such formal proceedings as it deems
49 appropriate. *The decision of the commission shall be*
50 *made within twelve months following the filing of the*
51 *application for rate change with the commission, except,*
52 *that the commission may, for cause, delay the decision*
53 *beyond twelve months.*

54 After the initiation of such formal proceedings and
55 pending the final decision thereon, the commission [may,

56 at any time before they become effective,] shall suspend
57 the operation of such new or changed rates, charges,
58 schedules or regulations[, but not] for a period [longer
59 than] of twelve months from the date when they would
60 have become effective if not suspended.

61 However, if the commission has not issued the order
62 on the rate application filed by the public utility
63 within twelve months from the date the application was
64 filed, a public utility shall have the right [at any
65 time after said rates, charges, schedules or regulations
66 have been suspended for ninety days] to place in effect
67 any or all of such suspended rates, charges, schedules
68 or regulations by filing with the commission a bond
69 or other undertaking approved by the commission
70 conditioned upon the refund in a manner to be prescribed
71 by the commission of any amounts collected thereunder
72 in excess of the amounts which would have been collected
73 under rates, charges, schedules or regulations finally
74 approved by the commission. *The commission shall*
75 *establish a rate of interest to be paid by a public*
76 *utility to persons receiving refunds. Such rate of*
77 *interest shall be not less than five percent per annum*
78 *nor more than nine percent per annum.*

79 If, after hearing and decision on all issues pre-
80 sented for determination in such rate proceeding, the
81 commission shall find the rates, charges, schedules
82 or regulations of the utility to be unlawful, the same
83 shall be set aside and the commission shall by order
84 authorize and direct the utility to file rates, charges,
85 schedules or regulations which, when approved by the
86 commission and placed in effect, will satisfy the
87 requirements of this chapter. The rates, charges,
88 schedules or regulations so approved shall be lawful
89 and effective unless changed as herein provided. In
90 the event a petition for rehearing is filed or an appeal
91 is taken from an order concerning rates, charges,
92 schedules or regulations which are in effect under bond,
93 those rates, charges, schedules or regulations may be
94 continued in effect by the utility under the terms of
95 a bond or other undertaking pending final determination
96 of the application for rehearing or appeal from an order
97 of the commission.

98 *The provisions of this section shall apply in all*
99 *cases in which the rate application is filed on or after*
100 *July 1, 1972. However, the commission shall establish*
101 *the rate of interest to be paid by a public utility*
102 *to persons receiving refunds on new rates, charges,*
103 *schedules, and regulations implemented prior to July*
104 *1, 1972 and being collected on or after July 1, 1972.*

105 3. Amend the title, page 1, line 1, by striking
106 everything after the word "relating" and inserting in
107 lieu thereof the words "to public utility rate
108 regulation."

Fischer of Grundy rose on a point of order that the amendment was not germane.

The Speaker ruled the point well taken and the amendment not germane.

Cochran of Webster rose on a point of order and moved to challenge the ruling of the Chair.

A non-record roll call was requested.

The ayes were 31, nays 51.

The motion lost and the ruling of the Chair was sustained.

Small of Johnson offered the following amendment filed by him and Gluba of Scott:

Amend Senate File 1013, as passed by the Senate, page 1, line 16, by inserting after the period the following:

"However, prior to the expiration of such ninety (90) day period, the commission shall hold a preliminary hearing upon reasonable notice to all interested parties. At such hearing the commission shall review the application of the utility and receive all other relevant and material evidence, which is then known, pertaining to the need and amount of such increased rates, charges, schedules, or regulations. The commission shall, by order, before the expiration of such ninety (90) days, allow only that part of, or all of the requested increased rates, charges, schedules, or regulations that it, at that time, finds reasonably probable to be allowed. The commission may upon final hearing further increase or decrease the rates, charges, schedules or regulations allowed to go into effect upon its preliminary order."

Varley of Adair rose on a point of order that the amendment was not germane.

The Speaker ruled the point not well taken and the amendment germane.

Small of Johnson moved the adoption of the Small-Gluba amendment.

Roll call was requested by Gluba of Scott and Blouin of Dubuque.

On the question "Shall the amendment be adopted?"

The ayes were, 31:

Blouin	Doyle	Husak	Kinley
Bray	Dunton	Jesse	Knoblauch
Christensen	Franklin	Johnston	Larson
Cochran	Gluba	Kennedy	Mayberry

Middleswart	Pierson	Schmeiser	Wells
Monroe	Priebe	Scott	Willits
Norpel	Radl	Small	Wyckoff
Patton	Sargisson	Uban	

The nays were, 53:

Andersen	Grassley	Menefee	Stanley
Bergman	Hamilton	Miller	Stokes
Campbell	Hansen	Moffitt	Strand
Clark	Harbor	Mollett	Stromer
Curtis	Hill	Nielsen	Strothman
Den Herder	Holden	Rex	Trowbridge
Dougherty	Kelly	Rodgers	Varley
Edelen	Knoke	Roorda	Waugh
Egenes	Kruse	Schroeder	Welden
Ellsworth	Lawson	Schwartz	Winkelman
Ewell	Lipsky	Schwieger	Wirtz
Fischer, H. O.	Logemann	Shaw	Mr. Speaker
Fisher, C. R.	McElroy	Sorg	(Millen)
Freeman	Mendenhall		

Absent or not voting, 16:

Alt	Drake	McCormick	Siglin
Anania	Goode	Nystrom	Skinner
Bennett	Kehe	Pellett	Taylor
Camp	Kreamer	Pelton	Tieden

The amendment lost.

Gluba of Scott offered the following amendment filed by him and Small of Johnson and moved its adoption:

Amend Senate File 1013, as passed by the Senate, line 16, by inserting after the period the following:

"In the event the commission determines that the rates, charges, schedules, or regulations so put into effect by a public utility were unreasonable or grossly disproportionate to the rates, charges, schedules, or regulations allowed, the commission shall further set an additional rate of return to each customer as a penalty to such public utility in addition to any interest allowed."

Roll call was requested by Gluba of Scott and Small of Johnson.

On the question "Shall the amendment be adopted?"

The ayes were, 32:

Bennett	Gluba	Mayberry	Schmeiser
Blouin	Husak	Middleswart	Schwartz
Bray	Jesse	Monroe	Scott
Camp	Johnston	Norpel	Skinner
Cochran	Kennedy	Patton	Small
Doyle	Kinley	Priebe	Uban
Dunton	Knoblauch	Radl	Willits
Franklin	Larson	Sargisson	Wyckoff

The nays were, 59:

Andersen	Grassley	Miller	Stokes
Bergman	Hamilton	Moffitt	Strand
Campbell	Hansen	Mollett	Stromer
Christensen	Harbor	Nielsen	Strothman
Clark	Hill	Nystrom	Taylor
Curtis	Holden	Pellett	Tieden
Dougherty	Kelly	Pierson	Trowbridge
Drake	Knoke	Rex	Varley
Edelen	Kruse	Rodgers	Waugh
Egenes	Lawson	Roorda	Welden
Ellsworth	Lipsky	Schroeder	Wells
Ewell	Logemann	Schwieger	Winkelman
Fischer, H. O.	McElroy	Shaw	Wirtz
Fisher, C. R.	Mendenhall	Sorg	Mr. Speaker
Freeman	Menefee	Stanley	(Millen)

Absent or not voting, 9:

Alt	Goode	Kreamer	Pelton
Anania	Kehe	McCormick	Siglin
Den Herder			

The amendment lost.

Blouin of Dubuque offered the following amendment filed by him:

Amend Senate File 1013, as amended and passed by the Senate, by adding to Section one (1) the following new sentence:

“Any refunds ordered that cannot be delivered to the customer within one year after such order because the customer has moved, died, or otherwise cannot be found shall revert to the state of Iowa under the provisions of chapter five hundred fifty-six (556) of the Code, the limitations contained therein to the contrary notwithstanding.”

Curtis of Cherokee rose on a point of order that the amendment was not germane.

The Speaker ruled the point not well taken and the amendment germane.

Blouin of Dubuque moved the adoption of his amendment.

A non-record roll call was requested.

The ayes were 33, nays 52.

The amendment lost.

Curtis of Cherokee moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 1013)

The ayes were, 92:

Andersen	Gluba	Mendenhall	Schwieger
Bennett	Grassley	Menefee	Scott
Bergman	Hamilton	Middleswart	Shaw
Blouin	Hansen	Miller	Skinner
Bray	Harbor	Moffitt	Small
Camp	Hill	Mollett	Sorg
Campbell	Holden	Monroe	Stanley
Christensen	Husak	Nielsen	Stokes
Clark	Jesse	Norpel	Strand
Cochran	Johnston	Nystrom	Stromer
Curtis	Kelly	Patton	Taylor
Den Herder	Kennedy	Pellett	Tieden
Dougherty	Kinley	Pelton	Trowbridge
Doyle	Knoblauch	Pierson	Uban
Drake	Knoke	Priebe	Waugh
Dunton	Kruse	Radl	Welden
Edelen	Larson	Rex	Wells
Egenes	Lawson	Rodgers	Willits
Ellsworth	Lipsky	Roorda	Winkelman
Ewell	Logemann	Sargisson	Wirtz
Fischer, H. O.	Mayberry	Schmeiser	Wyckoff
Fisher, C. R.	McCormick	Schroeder	Mr. Speaker
Franklin	McElroy	Schwartz	(Millen)
Freeman			

The nays were, none.

Absent or not voting, 8:

Alt	Goode	Kreamer	Strothman
Anania	Kehe	Siglin	Varley

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

REPORT OF COMMITTEE

Christensen of Union, from the committee on law enforcement, submitted the following report:

MR. SPEAKER: Your committee on law enforcement, to whom was referred **House File 1056**, a bill for an act relating to the private sale, control, and distribution of wine containing not more than seventeen percent alcohol by weight, declaring certain acts to be unlawful and prescribing penalties therefor, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same **do pass**.

CHRISTENSEN of Union, Chairman

REFERRED TO COMMITTEE ON WAYS AND MEANS

(House File 1056)

Christensen of Union asked and received unanimous consent to invoke Rule 31 on **House File 1056** and that the bill be referred to the committee on **ways and means**.

MOTION TO RECONSIDER WITHDRAWN
(Senate File 203)

Camp of Clinton asked and received unanimous consent to withdraw his motion to reconsider the vote on **Senate File 203** filed by him on January 28, 1972.

EXTENSION OF TIME TO COMMITTEE ON COMMERCE
(House File 633)

Skinner of Polk moved that Rule 51 be invoked on **House File 633**, and that the bill be immediately placed on the calendar.

Fischer of Grundy moved that the House adjourn until 9:00 a.m., Thursday, February 3, 1972.

A non-record roll call was requested.

The ayes were 19, nays 64.

The motion lost.

Fischer of Grundy moved as a substitute motion to the Skinner motion that the committee on commerce be granted two weeks additional time for further study of House File 633.

Skinner of Polk moved that the motion be amended with the provision that the extension of time be to February 11, 1972.

A non-record roll call was requested.

The ayes were 34, nays 52.

The motion lost.

On the Fischer of Grundy motion, a non-record roll call was requested.

The ayes were 52, nays 34.

The motion prevailed and the committee on commerce is granted two weeks additional time to study House File 633.

REPORTS OF COMMITTEE

Holden of Scott, from the committee on social services, submitted the following report:

MR. SPEAKER: Your committee on social services, to whom was referred **House File 524**, a bill for an act relating to the definition and regulation of optometrists, establishing the state board of optometry, and providing penalties, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation

that the same **be amended as follows, and when so amended the bill do pass:**

Amend House File 524, as follows:

1. Page 2, line 35, by striking the words "one hundred" and inserting in lieu thereof the word "forty".

2. Page 6, by striking lines 13 through 17, and inserting in lieu thereof the following:

"Sec. 12. RENEWAL FEE. The amount of the license renewal fee to be fixed by the board shall not be less than ten dollars or more than fifty dollars and shall be paid by each optometrist on or before May thirtieth of each year, except the year in which an optometrist is originally licensed."

3. Page 10, line 14, by striking the words "one hundred" and inserting in lieu thereof the word "forty".

HOLDEN of Scott, Chairman

Also:

MR. SPEAKER: Your committee on social services, to whom was referred **House File 1048**, a bill for an act permitting the commissioner of social services to grant water and sewage easement to the municipal corporation of Eldora, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same **do pass**.

HOLDEN of Scott, Chairman

AMENDMENTS FILED

- 1 Amend House File 725, page 6, by inserting before
- 2 the comma in line 29 the following: "whose members
- 3 shall reside within the county but outside the
- 4 corporate limits of any city".

HOLDEN of Scott

- 1 Amend House File 1007 as follows:
- 2 1. Page 2, line 5, by inserting after the word
- 3 "located" the words "in any county with a population
- 4 of two hundred thousand or more."
- 5 2. Page 2, line 8, by inserting after the word
- 6 "court" the words "in a county with a population of
- 7 two hundred thousand or more".

CHRISTENSEN of Union

- 1 Amend House File 1007 by adding the following new
- 2 section after line 12 on page 2:
- 3 "Sec. 3. Whenever a person, whose name appears on
- 4 the list provided in section two (2) of this Act, is
- 5 found guilty of an offense under the provisions of
- 6 chapter three hundred twenty-one (321) of the Code,
- 7 for which an arrest warrant was issued, the court shall
- 8 assess an additional one dollar of court costs on each

9 offense and shall remit these costs quarterly to the
10 county treasurer of the county in which the court is
11 located for deposit in the county general fund.”

TIEDEN of Allamakee
CAMP of Clinton

1 Amend House File 1071 as follows:

2 1. Page 1, by striking lines 4 through 18, inclu-
3 sive.

4 2. Page 1, by striking lines 20 through 25,
5 inclusive.

6 3. Page 2, by striking line 1 and inserting in
7 lieu thereof the following:

8 “Section 1. The forty-three thousand (43,000)
9 dollar expenditure made by the Audubon county agri-
10 cultural society for improvement to the fairgrounds
11 and a levy in 1970, for the fairground fund pursuant
12 to section one hundred seventy-four point seventeen
13 (174.17) of the Code, is hereby legalized. Under the
14 provisions of section one hundred seventy-four point
15 seventeen (174.17) of the Code, the board of super-
16 visors of Audubon county may continue the levy to pay
17 the indebtedness of the Audubon county agricultural
18 society incurred prior to the effective date of this
19 Act, until said indebtedness, plus interest, is paid.”

20 4. Page 1, line 2, by striking from the title
21 the word “provide” and inserting in lieu thereof the
22 word “authorize”.

PELLETT of Cass

On motion by Drake of Muscatine, the House adjourned until
9:00 a.m., Thursday, February 3, 1972.

JOURNAL OF THE HOUSE

Twenty-fifth Calendar Day—Nineteenth Session Day

HALL OF THE HOUSE OF REPRESENTATIVES
DES MOINES, IOWA, THURSDAY, FEBRUARY 3, 1972

The House met pursuant to adjournment, Speaker pro tempore Millen in the chair.

Prayer was offered by the Reverend Russell E. Comnick, pastor of the Redeemer Lutheran Church, Indianola, Iowa.

The Journal of Wednesday, February 2, 1972, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. R. L. Zoutendam, Sheldon, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Alt of Polk on request of Miller of Marshall; Schwieger of Black Hawk on request of the Speaker for February 3 and February 4, 1972, to attend a meeting with the Honorable John A. Volpe, Secretary of the Department of Transportation, and the Legislature Task Force on Commerce and Transportation.

PRESENTATION OF VISITORS

Roorda of Jasper presented to the House the Honorable William J. Gannon, former member of the House in the Sixty-first, Sixty-second and Sixty-third General Assemblies, First and Second Sessions, representing Jasper County, and minority floor leader during the Sixty-second and Sixty-third General Assemblies.

The Speaker announced that the following visitors were present in the House chamber:

Sixty-two government and art students from Tripoli Community School, Tripoli, Iowa, accompanied by their instructor, Leon Kirchoff. By Kehe of Bremer.

Thirty-five fifth grade students from Western Hills Elementary School, West Des Moines, Iowa, accompanied by their instructor, Mrs. Reed. By Alt of Polk.

ADOPTION OF COMMITTEE REPORTS

The Chief Clerk announced the adoption of reports of committees on House Files 524, 1048 and 1056, under Rule 35.

INTRODUCTION OF BILLS

House File 1112, by Fischer of Grundy, a bill for an act relating to the permissible places of location and tenure of bank offices, and the number of offices which may be operated by any bank within the same municipal corporation in which the bank is located.

Read first time and referred to committee on commerce.

House File 1113, by committee on transportation, a bill for an act relating to the transfer of title of a motor vehicle.

Read first time and placed on the calendar.

House File 1114, by Lipsky, Shaw, Franklin, Egenes, Blouin, McElroy and Varley (Doderer), a bill for an act relating to statutory provisions affecting the legal treatment of female persons.

Read first time and referred to committee on social services.

House File 1115, by Small, a bill for an act relating to qualifications of civil service employees.

Read first time and referred to committee on state government.

House File 1116, by Kehe, Mendenhall, Rex, Tieden, Miller, Wyckoff and Campbell, a bill for an act relating to qualifications for elective public office.

Read first time and referred to committee on judiciary.

House File 1117, by committee on commerce, a bill for an act relating to the annual report of the commissioner of insurance.

Read first time and placed on the calendar.

House File 1118, by Kelly, a bill for an act relating to confidential communications and the press.

Read first time and referred to committee on judiciary.

House File 1119, by Blouin, a bill for an act relating to exemptions from inheritance tax.

Read first time and referred to committee on judiciary.

House File 1120, by committee on county government, a bill for an act relating to notification of property owners of adjustment of real property assessments.

Read first time and **placed on the calendar**.

House File 1121, by Blouin, a bill for an act relating to the construction of private and public buildings and facilities.

Read first time and referred to committee on **state government**.

House File 1122, by Winkelman, Pelton, Andersen, Waugh, Tieden, Priebe, Stanley, Rodgers, and Scott, a bill for an act relating to the establishment of an office of ombudsman, his duties, and providing penalties.

Read first time and referred to committee on **appropriations**.

House File 1123, by Rex and Pelton (Briles), a bill for an act relating to salaries of certain county officers.

Read first time and referred to committee on **county government**.

House File 1124, by Alt, a bill for an act to establish the office of the state architect within the department of general services.

Read first time and referred to committee on **state government**.

House File 1125, by Winkelman and Tieden, a bill for an act relating to the administration of drugs to horses and providing penalties.

Read first time and referred to committee on **agriculture**.

House File 1126, by Blouin, a bill for an act relating to dram shop insurance for class "B" beer permittees.

Read first time and referred to committee on **state government**.

House File 1127, by Logemann, a bill for an act relating to the possession and consumption of alcoholic liquors and beer on school grounds.

Read first time and referred to committee on **state government**.

House File 1128, by committee on commerce, a bill for an act relating to the annual certificate of authority of insurance companies.

Read first time and **placed on the calendar**.

REFERRED TO COMMITTEE ON APPROPRIATIONS
(Senate File 470)

Camp of Clinton asked and received unanimous consent that **Senate File 470**, now on the House calendar, be referred to the committee on appropriations, under Rule 31.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File 227, a bill for an act relating to fee for issuance of tax deed.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File 254, a bill for an act relating to the rate of interest which may be paid by a real estate investment trust.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File 1016, a bill for an act relating to the use of fees and funds received by the Iowa soldiers home.

Also: That the President of the Senate has appointed as members of the conference committee on Senate File 392, an act relating to the eradication of hog cholera and the control and eradication of the swine diseases, on the part of the Senate: the Senator from Washington, Mr. Stephens, chairman; the Senator from Clinton, Mr. Shaff; the Senator from Adams, Mr. Briles; and the Senator from Mahaska, Mr. Van Gilst.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File 1014, a bill for an act relating to money advances by county boards of supervisors.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File 1046, a bill for an act relating to the commissioner of social services to grant water and sewage easement to the municipal corporation of Eldora.

CARROLL A. LANE, Secretary

CONSIDERATION OF BILLS

REGULAR CALENDAR

House File 1057, a bill for an act relating to the use of snow-mobiles on railroad rights-of-way, was taken up for consideration.

Logemann of Worth offered the following Christensen-Logemann amendment and moved its adoption:

Amend House File 1057 as follows:

Lines 9 and 10, by striking the words "after yielding the right-of-way to any approaching railroad traffic" and inserting in lieu thereof the words "and, notwithstanding any other provisions of law, may, where necessary, use the improved portion of such established crossing after yielding to all oncoming traffic."

The amendment was adopted.

Logemann of Worth moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1057)

The ayes were, 73:

Anania	Gluba	Moffitt	Siglin
Andersen	Hamilton	Mollett	Small
Bergman	Harbor	Monroe	Sorg
Blouin	Hill	Nielsen	Stanley
Bray	Holden	Norpel	Stokes
Camp	Husak	Nystrom	Strand
Campbell	Kinley	Patton	Stromer
Christensen	Knoblauch	Pellett	Strothman
Clark	Knoke	Pierson	Tieden
Cochran	Kruse	Priebe	Trowbridge
Curtis	Larson	Radl	Varley
Den Herder	Lipsky	Rex	Waugh
Doyle	Logemann	Rodgers	Wells
Dougherty	McCormick	Sargisson	Willits
Drake	McElroy	Schmeiser	Winkelman
Dunton	Mendenhall	Schroeder	Wyckoff
Ellsworth	Menefee	Schwartz	Mr. Speaker
Fischer, H. O.	Middleswart	Shaw	(Millen)
Fisher, C. R.	Miller		

The nays were, 4:

Edelen	Scott	Taylor	Uban
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Absent or not voting, 23:

Alt	Goode	Kehe	Pelton
Bennett	Grassley	Kelly	Roorda
Egenes	Hansen	Kennedy	Schwieger
Ewell	Jesse	Kreamer	Skinner
Franklin	Johnston	Lawson	Welden
Freeman		Mayberry	Wirtz

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

House File 1104, a bill for an act relating to protective eye-glass lenses, was taken up for consideration.

Holden of Scott moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1104)

The ayes were, 76:

Anania	Grassley	Moffitt	Small
Andersen	Hamilton	Mollett	Sorg
Bergman	Harbor	Monroe	Stanley
Blouin	Hill	Nielsen	Stokes
Bray	Holden	Norpel	Strand
Camp	Husak	Nystrom	Stromer
Christensen	Kinley	Patton	Strothman
Clark	Knoblauch	Pellett	Taylor
Cochran	Knoke	Pierson	Tieden
Curtis	Kruse	Priebe	Trowbridge
Den Herder	Larson	Radl	Uban
Doyle	Lipsky	Rex	Varley
Dougherty	Logemann	Sargisson	Waugh
Drake	McCormick	Schmeiser	Wells
Dunton	McElroy	Schroeder	Willits
Edelen	Mendenhall	Schwartz	Winkelman
Ellsworth	Menefee	Scott	Wyckoff
Fischer, H. O.	Middleswart	Shaw	Mr. Speaker
Fisher, C. R.	Miller	Siglin	(Millen)
Gluba			

The nays were, 3:

Campbell	Rodgers	Wirtz
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Absent or not voting, 21:

Alt	Goode	Kelly	Pelton
Bennett	Hansen	Kennedy	Roorda
Egenes	Jesse	Kreamer	Schwieger
Ewell	Johnston	Lawson	Skinner
Franklin	Kehe	Mayberry	Welden
Freeman			

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

CONSIDERATION OF JOINT RESOLUTION

House Joint Resolution 1004, a joint resolution proposing an amendment to the Constitution of the State of Iowa to provide means for the General Assembly to convene itself into special session between regular sessions, was taken up for consideration.

Shaw of Scott moved that the joint resolution be read a last time now and placed upon its passage which motion prevailed and the joint resolution was read a last time.

House Joint Resolution 1004, a joint resolution proposing an amendment to the Constitution of the State of Iowa to provide

means for the General Assembly to convene itself into special session between regular sessions.

Be It Resolved by the General Assembly of the State of Iowa:

Section 1. The following amendment to the Constitution of the State of Iowa is hereby proposed:

Section two (2) of Article three (III) of the Constitution of the State of Iowa, as amended by amendment number one (1) of the Amendments of 1968 to the Constitution of the State of Iowa, is repealed and the following adopted in lieu thereof:

The General Assembly shall meet in session on the second Monday of January of each year. Upon the written request to the presiding officer of each House of the General Assembly by two-thirds of the members of each House, the General Assembly shall convene in special session. The Governor of the state may convene the General Assembly by proclamation in the interim.

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 for members of the General Assembly and the Secretary of State is directed to cause the same to be published for three consecutive months before the date of said election as provided by law.

On the question "Shall the joint resolution be adopted and agreed to?" (H.J.R. 1004)

The ayes were, 85:

Anania	Hamilton	Moffitt	Siglin
Andersen	Hansen	Molett	Skinner
Bergman	Harbor	Monroe	Small
Blouin	Hill	Nielsen	Sorg
Bray	Holden	Norpel	Stanley
Camp	Husak	Nystrom	Stokes
Campbell	Jesse	Patton	Strand
Clark	Kelly	Pellett	Stromer
Cochran	Knoblauch	Pelton	Strothman
Curtis	Knoke	Pierson	Trowbridge
Den Herder	Kruse	Priebe	Uban
Dougherty	Larson	Radl	Varley
Doyle	Lawson	Rex	Waugh
Drake	Lipsky	Rodgers	Welden
Dunton	Logemann	Roorda	Wells
Edelen	Mayberry	Sargisson	Willits
Egenes	McCormick	Schmeiser	Winkelman
Ellsworth	McElroy	Schroeder	Wirtz
Fischer, H. O.	Mendenhall	Schwartz	Wyckoff
Fisher, C. R.	Menefee	Scott	Mr. Speaker
Gluba	Middleswart	Shaw	(Millen)
Grassley	Miller		

The nays were, none.

Absent or not voting, 15:

Alt	Franklin	Kehe	Schwieger
Bennett	Freeman	Kennedy	Taylor
Christensen	Goode	Kinley	Tieden
Ewell	Johnston	Kreamer	

The joint resolution having received a constitutional majority was declared to have been adopted and agreed to by the House.

HOUSE JOINT RESOLUTION 12 WITHDRAWN

Doyle of Woodbury asked and received unanimous consent to withdraw **House Joint Resolution 12** from further consideration by the House.

SENATE AMENDMENT CONSIDERED

Kruse of O'Brien called up for consideration **House File 391**, a bill for an act relating to the bonding of operators of slaughter-houses buying cattle, hogs, or sheep, and the bonding of agents, dealers, or brokers of such operators, and providing a penalty, amended by the Senate, and moved that the House concur in the following Senate amendment:

Amend House File 391 as passed by the House as follows:

1. Page 2, line 31, by striking the word "fifty" and inserting in lieu thereof the words "twenty-five".
2. Page 2, line 32, by striking the word "twenty" and inserting in lieu thereof the word "ten".
3. Page 4, line 4, by striking the word "fifty" and inserting in lieu thereof the words "two hundred".
4. Page 4, line 5, by striking the word "fifty" and inserting in lieu thereof the words "two hundred".
5. Page 4, line 6, by striking the word "fifty" and inserting in lieu thereof the words "two hundred".
6. Page 6, by adding after line 4 the following new subsection:

"3. In lieu of a bond or deposit, the applicant may file an annual sworn financial statement certified by a certified public accountant showing all assets and liabilities. The statement shall show the applicant's current net worth to be not less than five times the amount of the bond or deposit otherwise required by this section. If upon examination of any financial statement the department considers that the applicant has furnished insufficient proof of financial responsibility, a written order may be issued directing the applicant to provide the bond or deposit required by this section. Failure to comply with an order shall be cause for revocation or suspension of license. It shall be unlawful for any officer or employee of the state of Iowa to divulge or to make known in any manner

whatever not provided by law to any person the information contained in any financial statement."

7. Page 6, line 5, by striking the word "authorized" and inserting in lieu thereof the word "required".

A non-record roll call was requested.

The ayes were 67, nays 18.

The motion prevailed and the House concurred in the Senate amendment.

Kruse of O'Brien moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

Under the provisions of Rule 71, Hansen of Black Hawk refrained from voting.

On the question "Shall the bill pass?" (H.F. 391)

The ayes were, 81:

Andersen	Hamilton	Mollett	Skinner
Bergman	Hill	Monroe	Small
Blouin	Holden	Nielsen	Sorg
Bray	Husak	Norpel	Stanley
Camp	Jesse	Nystrom	Stokes
Campbell	Kelly	Patton	Strand
Christensen	Kinley	Pellett	Stromer
Clark	Knoblauch	Pierson	Strothman
Cochran	Kruse	Priebe	Taylor
Curtis	Larson	Radl	Tieden
Den Herder	Lawson	Rex	Trowbridge
Dougherty	Lipsky	Rodgers	Varley
Doyle	Logemann	Roorda	Waugh
Drake	Mayberry	Sargisson	Welden
Dunton	McCormick	Schmeiser	Wells
Edelen	McElroy	Schroeder	Willits
Egenes	Mendenhall	Schwartz	Winkelman
Ellsworth	Menefee	Scott	Wyckoff
Fisher, C. R.	Middlewart	Shaw	Mr. Speaker
Gluba	Miller	Siglin	(Millen)
Grassley	Moffitt		

The nays were, 4:

Fischer, H. O.	Franklin	Uban	Wirtz
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Absent or not voting, 15:

Alt	Freeman	Johnston	Kreamer
Anania	Goode	Kehe	Pelton
Bennett	Hansen	Kennedy	Schwieger
Ewell	Harbor	Knoke	

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

HOUSE CONCURRENT RESOLUTION 107

By Committee on Ways and Means

Whereas, inequities continue in the current tax system as a method of funding local governmental functions; and

Whereas, cities and towns and counties are experiencing difficulty operating within the current maximum property tax mill levies; and

Whereas, both real and personal property taxpayers are paying a disproportionately large share of the costs of local government; and

Whereas, ownership of property is not an accurate indicator of the owner's ability to pay taxes, nor a realistic measure of benefits received; *Now Therefore*,

Be It Resolved by the House of Representatives, the Senate Concurring: That the legislative council shall create a study committee to conduct during the 1972 interim a detailed study of the tax structure as it relates to local taxing body expenditures and to recommend methods of implementing tax reform measures which will effectively reduce emphasis on real and personal property taxes; and

Be It Further Resolved, That the membership of the study committee shall consist of not more than sixteen legislators representing the Senate and House committees, including but not limited to ways and means, cities and towns, schools, and county government, said membership to be appointed jointly by the President of the Senate and the Speaker of the House; and

Be It Further Resolved, That staff assistance be provided by the legislative service bureau, the department of revenue, the state comptroller, and the department of public instruction within the limits of available funds of said departments and moneys available to the General Assembly, and the study committee may employ other employees as it deems desirable from funds available for such purpose; and

Be It Further Resolved, That a report of the findings and recommendations of such study committee be submitted to the legislative council and the General Assembly prior to the convening of the Sixty-fifth General Assembly, First Session, and further supplemental reports may be presented at any time thereafter, accompanied by bill drafts designed to carry out the recommendations of the study committee.

Laid over under Rule 25.

REPORTS OF COMMITTEES

Tieden of Clayton, from the committee on conservation and recreation, submitted the following report:

MR. SPEAKER: Your committee on conservation and recreation, to whom was referred **House File 680**, a bill for an act to clarify the status of law-enforcement officers appointed by the state conservation commission, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same **do pass**.

TIEDEN of Clayton, Chairman

Shaw of Scott, from the committee on constitutional amendments and reapportionment, submitted the following report:

MR. SPEAKER: Your committee on constitutional amendments and reapportionment, to whom was referred **House Joint Resolution 1002**, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the age qualification of members of the General Assembly, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same **do pass**.

SHAW of Scott, Chairman

On motion by Varley of Adair, the House adjourned until 9:00 a.m., Friday, February 4, 1972.

JOURNAL OF THE HOUSE

Twenty-sixth Calendar Day—Twentieth Session Day

HALL OF THE HOUSE OF REPRESENTATIVES
DES MOINES, IOWA, FRIDAY, FEBRUARY 4, 1972

The House met pursuant to adjournment, Speaker pro tempore Millen in the chair.

Prayer was offered by Father Terry Lees, St. Anthony's Catholic Church, Des Moines, Iowa.

The Journal of Thursday, February 3, 1972, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. William Siedler, Jamaica, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Cochran of Webster on request of Blouin of Dubuque; Alt of Polk on request of Miller of Marshall.

ADOPTION OF COMMITTEE REPORTS

The Chief Clerk announced the adoption of reports of committees on House File 680 and House Joint Resolution 1002, under Rule 35.

INTRODUCTION OF BILLS

House File 1129, by committee on county government, a bill for an act relating to a maximum mileage payment for members of the board of supervisors in counties of forty thousand population or less.

Read first time and placed on the calendar.

House File 1130, by Hansen, Grassley, Radl, Schwieger, Uban, Ewell, Dunton, and Tieden (Messerly and Conklin), a bill for an act relating to the appropriation to the state board of regents.

Read first time and referred to committee on appropriations.

House File 1131 by Ellsworth (Walsh), a bill for an act making an appropriation to the Iowa liquor control commission for a state liquor store in Dubuque, Iowa.

Read first time and referred to committee on **appropriations**.

House File 1132, by Ellsworth, Menefee, Mendenhall, McCormick, Taylor, Blouin, Kennedy, Tieden, and Patton (Walsh, Shawver, Kennedy, and Gilley), a bill for an act to make an appropriation to merged area I for the purpose of implementing the provisions of law requiring an area vocational attendance center.

Read first time and referred to committee on **appropriations**.

House File 1133, by committee on state government, a bill for an act making corrective amendments to the "Iowa Beer and Liquor Control Act" by defining the phrase "intoxicating liquor"; changing the term of office of council members; allowing certain special permit holders to buy alcohol direct from distiller or wholesaler; amending the qualifications for the holding of certain special liquor permits; defining the authority of local issuing bodies upon initial issuance of liquor licenses and retail beer permits; changing the license fees for hotels and motels located outside corporate limits of cities and towns; correcting the omission of the words "and tax" in provisions relating to air common carriers; providing that certain refund provisions apply to all classes of retail beer permittees; providing notification of the transfer of location of the licensed premises for the retail sale of beer and liquor to the department and establishing a transfer fee by regulation; redefining areas in which retail licenses and permits may be granted; redefining the term "grocery store"; eliminating a conflict in population factors; making uniform the time a penalty of license suspension might last for all classes of beer permit holders and the holders of certificates of compliance by brewers and importers of malt beverages; and, by providing that books of accounts and records of beer permittees shall be open to inspection by the enforcement division of beer and liquor department of public safety during normal business hours.

Read first time and **placed on the calendar**.

House File 1134, by Winkelman, a bill for an act relating to the allocation of real estate transfer tax receipts.

Read first time and referred to committee on **county government**.

House File 1135, by Andersen, a bill for an act to raise the contribution ceiling under the Iowa public employees' retirement system and to permit active and retired members to buy back prior service credit.

Read first time and referred to committee on **state government**.

House File 1136, by Kehe, a bill for an act relating to the collection, purchase and sale of recyclable materials.

Read first time and referred to committee on **environmental preservation**.

House File 1137, by Schroeder and Knoke, a bill for an act relating to the location of attendance centers for area vocational schools.

Read first time and referred to committee on **schools**.

House File 1138, by Schroeder, a bill for an act relating to student fees at universities governed by the state board of regents.

Read first time and referred to committee on **higher education**.

House File 1139, by Larson, a bill for an act relating to the copying of public records.

Read first time and referred to committee on **state government**.

House File 1140, by Shaw, Lipsky, McElroy, Sargisson, Egenes, Franklin, Miller and Mayberry, a bill for an act to establish a commission on the status of women and to define its powers and duties.

Read first time and referred to committee on **human and industrial relations**.

House File 1141, by Ellsworth, Hansen, Sorg, Kennedy, Priebe and Wirtz (Griffin), a bill for an act relating to unfair trade practices in the business of insurance and providing a penalty.

Read first time and referred to committee on **commerce**.

House File 1142, by Shaw, Lipsky, Miller, McElroy, Sargisson, Egenes and Franklin, a bill for an act to prohibit wage discrimination on the basis of sex.

Read first time and referred to committee on **human and industrial relations**.

SENATE MESSAGES CONSIDERED

Senate File 1014, a bill for an act relating to money advances by county boards of supervisors to county conservation boards from money in the county general funds.

Read first time and referred to committee on **judiciary**.

Senate File 1046, a bill for an act permitting the commissioner of social services to grant water and sewage easements to the municipal corporations of Eldora and Marshalltown.

Read first time and **passed on file**.

CONSIDERATION OF BILL

REGULAR CALENDAR

SENATE FILE 1046 SUBSTITUTED FOR HOUSE FILE 1048

Welden of Hardin asked and received unanimous consent to substitute Senate File 1046 for House File 1048.

Welden of Hardin asked and received unanimous consent that the rules be suspended for the immediate consideration of **Senate File 1046**, a bill for an act permitting the commissioner of social services to grant water and sewage easements to the municipal corporations of Eldora and Marshalltown.

Welden of Hardin moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S. F. 1046)

The ayes were, 80:

Andersen	Hansen	Middleswart	Shaw
Bergman	Harbor	Miller	Sorg
Blouin	Hill	Moffitt	Stanley
Bray	Holden	Monroe	Stokes
Campbell	Husak	Nielsen	Strand
Christensen	Jesse	Norpel	Stromer
Clark	Kelly	Nystrom	Strothman
Curtis	Kinley	Patton	Taylor
Den Herder	Knoblauch	Pellett	Tieden
Dougherty	Knoke	Pierson	Trowbridge
Doyle	Kruse	Priebe	Uban
Drake	Larson	Radl	Varley
Dunton	Lawson	Rex	Waugh
Egenes	Lipsky	Rodgers	Welden
Ellsworth	Logemann	Roorda	Wells
Ewell	Mayberry	Sargisson	Willits
Fischer, H. O.	McCormick	Schmeiser	Winkelman
Fisher, C. R.	McElroy	Schroeder	Wyckoff
Gluba	Mendenhall	Schwartz	Mr. Speaker
Grassley	Menefee	Scott	(Millen)
Hamilton			

The nays were, none.

Absent or not voting, 20:

Alt	Edelen	Kehe	Schwieger
Anania	Franklin	Kennedy	Siglin
Bennett	Freeman	Kreamer	Skinner
Camp	Goode	Mollett	Small
Cochran	Johnston	Pelton	Wirtz

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

HOUSE FILE 1048 WITHDRAWN

Welden of Hardin asked and received unanimous consent to withdraw House File 1048 from further consideration by the House.

MOTION TO RECONSIDER

(Senate File 1046)

I move to reconsider the vote by which Senate File 1046 passed the House on February 4, 1972.

WINKELMAN of Calhoun

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File 1011, a bill for an act relating to the attainment of the age of majority.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File 1052, a bill for an act relating to the deposit and use of fees collected by the Iowa state commerce commission.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File 336, a bill for an act relating to replevin bonds.

Also: That the Senate has refused to concur in the House amendment to Senate File 431, a bill for an act relating to hunting restrictions.

CARROLL A. LANE, Secretary

SENATE AMENDMENT TO HOUSE FILE 1011

- 1 Amend House File 1011 as amended and passed by the House as follows:
- 2 1. Page 4, line 22, by striking the word "eighteen" and inserting
- 3 in lieu thereof the word "nineteen".

4 2. Page 5, by striking lines 6 through 9, inclusive, and inserting
5 in lieu thereof the following: "good moral character[, except that
6 women may be licensed as dental hygienists, or men or women may
7 be licensed as barbers, or as cosmetologists, upon attaining the
8 age of eighteen years]".

9 3. Page 5, by striking lines 28 through 35, inclusive.

10 4. Page 6, by striking lines 1 through 24, inclusive.

11 5. Page 11, by inserting after line 20 the following new
12 paragraph:

13 *"However, if a child is referred to the juvenile court*
14 *because of alleged delinquency by reason of the commission*
15 *of an indictable offense, the court may withhold an*
16 *adjudication of delinquency, retain jurisdiction of the*
17 *child, and place the child on probation until he is*
18 *nineteen years of age at which time he shall be discharged.*
19 *If the terms of the probation are violated before the*
20 *person reaches the age of nineteen years, the court may*
21 *enter an order referring the alleged commission of an*
22 *indictable offense to the appropriate prosecuting*
23 *authority for the proper action under the criminal law."*

24 6. Page 12, by striking line 35.

25 7. Page 13, by striking lines 1 through 17, inclusive.

26 8. Page 16, by inserting after line 21 the following new
27 sections:

28 1. "Sec. Section five hundred twenty-four point
29 three hundred one (524.301), Code 1971, is amended to read
30 as follows:

31 524.301 INCORPORATORS. A state bank may be incorporated
32 under this chapter by not less than five individuals [over
33 the age of twenty-one] *eighteen years of age or older*, a
34 majority of whom shall be citizens of this state and all
35 of whom shall be citizens of the United States."

36 2. "Sec. Section five hundred twenty-four point
37 six hundred one (524.601), subsection one (1), Code 1971,
38 is amended to read as follows:

39 1. The business and affairs of a state bank shall be
40 managed by a board of five or more directors [over the age
41 of twenty-one] *eighteen years of age or older*, a majority of
42 whom shall be citizens of this state and all of whom shall
43 be citizens of the United States. No individual shall be
44 eligible to serve as a director of any state bank unless
45 he is the owner, in his own right, free of any lien and
46 encumbrance, of common shares in the state bank of which
47 he is a director having a par value of not less than five
48 hundred dollars."

49 9. Page 16, line 31, by adding after the word "years" the
50 following: "*or, twenty-one years, if so designated by*
51 *the donor*".

52 10. Page 17, line 2, by adding after the word "years" the
53 following: "*or twenty-one years, if so designated by the*
54 *donor*".

55 11. Page 17, line 11, by adding after the word "years" the
56 following: "*or twenty-one years, if so designated by the*
57 *donor*".

58 12. By adding the following new sections:

59 1. "Sec. Section ninety-two point twenty-three
60 (92.23), Code 1971, is amended to read as follows:
61 92.23 GROUP INSURANCE. Anyone under the age of
62 [nineteen] *eighteen* and subject to this chapter employed
63 in the street trades who sells or delivers the product
64 or service of another and who is designated in such
65 capacity as an independent contractor shall be provided
66 participation, if he desires it at group rate cost, in
67 group insurance for medical, hospital, nursing and doctor
68 expenses incurred as a result of injuries sustained aris-
69 ing out of and in the course of selling or delivering
70 such product or service by the person, firm or corporation
71 whose product or service is so delivered."

72 2. "Sec. Section ninety-six point nineteen
73 (96.19), subsection seven (7), paragraph 'g', subparagraph
74 six (6), Code 1971, is amended to read as follows:

75 (6) Service performed by an individual in the employ
76 of his son, daughter, or spouse, and service performed by
77 a child under the age of [twenty-one] *eighteen* in the employ
78 of his father or mother."

79 3. "Sec. Section one hundred twenty-three B
80 point fourteen (123B.14), Code 1971, is amended to read
81 as follows:

82 123B.14 COLLECTION OF LIEN POSTPONED. In the case
83 of the death of either spouse the estate of the deceased
84 shall not be settled or the homestead sold until the
85 surviving spouse shall die or cease to occupy the home-
86 stead or while it is occupied by the [minor children]
87 *deceased alcoholic's child, as defined in section 232.2,*
88 *subsection 3* [of an alcoholic]. However, no lien shall be
89 enforced against any homestead so long as it be occupied
90 by an alcoholic, his spouse or [minor children] *child, as*
91 *defined in section 232.2, subsection 3."*

92 4. "Sec. Section two hundred nineteen point
93 fifteen (219.15), Code 1971, is amended to read as follows:

94 219.15 PAYMENT TO DEPENDENTS. Each member of the
95 home who receives a pension or compensation and who has
96 a dependent wife or [minor children] *child, as defined in*
97 *section 232.2, subsection 3*, shall deposit with the
98 commandant forthwith on receipt of his pension or com-
99 pensation check one-half of the amount thereof, which
100 shall be sent at once to the wife if she be dependent
101 upon her own labor or others for support, or, if there
102 be no wife, to the guardian of the [minor children] *child,*
103 *as defined in section 232.2, subsection 3*, if dependent
104 upon others for support. The commandant, if satisfied
105 that the wife has deserted her husband, or is of bad
106 character, or is not dependent upon others for support,
107 may pay the money deposited as herein provided to the
108 guardian of the dependent [minor children] *child, as defined*
109 *in section 232.2, subsection 3."*

110 5. "Sec. Section two hundred thirty point
111 twenty-eight (230.28), Code 1971, is amended to read as

112 follows:

113 230.28 CLOSING ESTATES—HOMESTEAD. In the case of
114 the death of either the husband or wife the estate of the
115 deceased shall not be settled or the homestead sold until
116 the surviving spouse shall die or cease to occupy the
117 homestead as such or while it is occupied by the [minor
118 children of such persons] *deceased's child, as defined in*
119 *section 232.2, subsection 3.* Provided, however, no lien
120 shall be enforced against any homestead so long as it be
121 occupied by such person, his or her spouse or [minor children]
122 *child."*

123 6. "Sec. Section two hundred thirty-two point
124 two (232.2), subsection three (3), Code 1971, is amended
125 to read as follows:

126 3. 'Child' means a person less than eighteen years
127 of age or a person who is at least eighteen years of age
128 but less than twenty-one years of age who is regularly
129 attending an approved school in pursuance of a course
130 of study leading to a high school diploma or its equiv-
131 alent, or regularly attending a course of vocational
132 or technical training either as a part of a regular
133 school program or under special arrangements adapted to
134 the individual person's needs."

135 7. "Sec. Section two hundred thirty-two point
136 sixty-three (232.63), Code 1971, is amended to read as
137 follows:

138 232.63 WHEN JURISDICTION IS EXCLUSIVE. The juvenile
139 court shall have exclusive original jurisdiction, only,
140 in proceedings concerning any child alleged to be delin-
141 quent, neglected or dependent, and in proceedings for
142 termination of parental rights under sections 232.41
143 through 232.50, and in proceedings concerning any [minor]
144 child alleged to have been a delinquent prior to having
145 become eighteen years of age except as otherwise provided
146 by law."

147 8. "Sec. Section two hundred thirty-four point
148 one (234.1), Code 1971, is amended to read as follows:

149 234.1 DEFINITIONS. As used in this chapter:
150 'Division' or 'state division' means the division of child
151 and family services of the department of social services;
152 'director' or 'state director' means the director of
153 the division of child and family services of the depart-
154 ment of social services; 'county board' means the county
155 board of social welfare. 'Child' means a child as defined
156 in section 232.2, subsection 3."

157 9. "Sec. Section two hundred thirty-five point
158 one (235.1), Code 1971, is amended to read as follows:

159 235.1 DEFINITIONS. The terms 'state division',
160 'state director', and 'county department', [and] 'county board',
161 and 'child' are used in this chapter and chapters 236, 237,
162 and 238 as said terms are defined in section 234.1 and
163 section 232.2, subsection 3.

164 'Child welfare services' means social welfare services
165 for the protection and care of children who are homeless

166 dependent or neglected, or in danger of becoming delinquent,
167 including when necessary care and maintenance in a foster
168 care facility.”

169 10. “Sec. Section two hundred forty-four point
170 ten (244.10), Code 1971, is amended to read as follows:

171 244.10 PLACING CHILD UNDER CONTRACT. Any child
172 received in said homes, unless adopted, may, under written
173 contract approved by the state director, be placed by the
174 superintendent in the custody and care of any proper person
175 or family. Such contract shall provide for the custody,
176 care, education, maintenance, and earnings of the child for
177 a fixed time which shall not extend beyond the age of
178 majority, *except that the time may extend beyond the child's*
179 *eighteenth birthday until he is twenty-one years of age if*
180 *he is regularly attending an approved school in pursuance*
181 *of a course of study leading to a high school diploma or*
182 *its equivalent, or regularly attending a course of vocational*
183 *technical training either as a part of a regular school pro-*
184 *gram or under special arrangements adapted to the individual*
185 *person's needs. Such contract shall be signed by the*
186 *superintendent and by the person taking the child.”*

187 11. “Sec. Section two hundred forty-nine A
188 point three (249A.3), subsection two (2), paragraph ‘c’,
189 Code 1971, as amended by chapter one hundred fifty-seven
190 (157), section two (2), Acts of the Sixty-fourth General
191 Assembly, First Session, is amended to read as follows:

192 c. Children under [twenty-one] *eighteen* years of age
193 whose incomes and resources are comparable to those
194 receiving aid to dependent children.”

195 12. “Sec. Section two hundred forty-nine A
196 point six (249A.6), Code 1971, is amended to read as
197 follows:

198 249A.6 CLAIMS AGAINST ESTATE. On the death of a
199 person receiving or who has received assistance under
200 this chapter, and of the survivor of a married couple,
201 either or both of whom were so assisted and during which
202 time such recipient was sixty-five years of age or older,
203 the total amount paid as assistance to either shall be
204 allowed as a claim of the sixth class against the estate
205 of such decedent or the surviving spouse. Neither the
206 homestead nor the proceeds therefrom of such decedent,
207 or the survivor, shall be exempt from the payment of such
208 claim, any Act or statute notwithstanding. An action may
209 be brought in the name of the state to recover the same at
210 any time within five years after the death of the person
211 receiving aid and after the death of the survivor of the
212 married couple, either or both of whom have received
213 assistance under the provisions of this chapter. No such
214 claim shall be allowed, however, until the death of the
215 surviving spouse nor shall such claim be allowed if a
216 child under [twenty-one] *eighteen* years of age, or a child
217 who is blind or is permanently and totally disabled,
218 survives a surviving spouse or a recipient who has no
219 surviving spouse. The right to a claim existing on

220 July 1, 1969 against the estate of any person who had,
221 prior to said date, received medical assistance pursuant
222 to chapter 249A, shall be preserved and continued under
223 this chapter."

224 13. "Sec. Section two hundred fifty-two point
225 fourteen (252.14), Code 1971, is amended to read as follows:
226 252.14 HOMESTEAD—WHEN LIABLE. When expenditures
227 have been made for and on behalf of a poor person and
228 his family, as contemplated by section 252.13, the home-
229 stead of such poor person is liable for such expenditures
230 when such poor person dies without leaving a surviving
231 husband or wife, or [minor children] *child, as defined in*
232 *section 232.2, subsection 3.*"

233 14. "Sec. Section two hundred fifty-two A
234 point two (252A.2), subsection three (3), Code 1971, is
235 amended to read as follows:

236 3. 'Child' includes a stepchild, foster child or
237 legally adopted child and means a child actually or
238 apparently under [seventeen] *eighteen* years of age, and a
239 child over [seventeen] *eighteen* years of age who is unable
240 to maintain himself and is likely to become a public
241 charge.

242 15. "Sec. Section two hundred fifty-two A point
243 three (252A.3), subsections one (1), two (2), and three (3),
244 Code 1971, are amended to read as follows:

245 1. A husband in one state is hereby declared to be
246 liable for the support of his wife and any child or children
247 under [seventeen] *eighteen* years of age and any other dependent
248 residing or found in the same state or in another state hav-
249 ing substantially similar or reciprocal laws, and, if
250 possessed of sufficient means or able to earn such means,
251 may be required to pay for their support a fair and reasonable
252 sum according to his means, as may be determined by the
253 court having jurisdiction of the respondent in a proceeding
254 instituted under this chapter.

255 2. A mother in one state is hereby declared to be liable
256 for the support of her child or children under [seventeen]
257 *eighteen* years of age residing or found in the same state
258 or in another state having substantially similar or reciproc-
259 al laws, whenever the father of such child or children is
260 dead, or cannot be found, or is incapable of supporting
261 such child or children, and, if she is possessed of sufficient
262 means or able to earn such means, she may be required to pay
263 for the support of such child or children a fair and reason-
264 able sum according to her means, as may be determined by the
265 court having jurisdiction of the respondent in a proceeding
266 instituted under this chapter.

267 3. The parents in one state are hereby declared to
268 be severally liable for the support of a child [seventeen]
269 *eighteen* years of age or older residing or found in the same
270 state or in another state having substantially similar or
271 reciprocal laws, whenever such child is unable to maintain
272 himself and is likely to become a public charge."

273 16. "Sec. Section three hundred fifty-eight

274 point nine (358.9), unnumbered paragraph one (1), Code 1971,
275 is amended to read as follows:

276 Within thirty days after the organization of a sanitary
277 district under this chapter, the board of supervisors which
278 had jurisdiction of the proceedings for its establishment,
279 together with the board of supervisors of any other county,
280 if any, in which any part of said district is located, shall
281 order an election to be held in the district on a date not
282 more than sixty days after the date of the order for the
283 purpose of electing a board of trustees, consisting of
284 three members, except as otherwise provided in this section ,
285 for the government, control and management of the affairs
286 and business of such sanitary district. Said board, or
287 boards, shall cause notice of said election to be posted
288 and published, and shall perform all other acts with
289 reference to such election, and conduct the same, in like
290 manner, as nearly as may be, as provided in this chapter
291 for the election on the question of establishing such
292 district. Each trustee shall be a citizen of the United
293 States, not less than [twenty-one] *eighteen* years of age,
294 and a resident within said sanitary district. Each voter
295 at said election may write in upon the ballot the names
296 of not more than three persons whom he desires for
297 trustees and may cast not more than one vote for each of
298 said three persons, and the three persons receiving the
299 highest number of votes cast shall constitute the first
300 board of trustees of the district. The term of office of
301 the first board of trustees shall be for the period extend-
302 ing to the second secular day of January following the next
303 regular biennial election. Three trustees to succeed the
304 first board of trustees shall be nominated and elected at
305 the next primary and regular biennial elections following
306 establishment of the district, in the same manner as pro-
307 vided by the primary and general election laws of this
308 state for the nomination and election for offices to be
309 filled by the voters of any subdivision of a county. Said
310 trustees shall be elected for terms of two, four, and six
311 years respectively, and their terms shall commence on
312 the second secular day of January next thereafter. At
313 each succeeding biennial election one trustee shall
314 be nominated and elected in the manner herein provided
315 for a six-year term to succeed the trustee whose term
316 next expires. In all elections for trustees each qualified
317 voter resident within the district may vote one vote for
318 each office of trustee to be filled at the election. At
319 all elections for trustees subsequent to the election of
320 the first board the names of all candidates for trustees
321 of such sanitary district shall be printed on the same
322 ballot with candidates for other offices to be filled at
323 such election. In case a regular election precinct
324 includes territory lying partly within and partly without
325 the sanitary district, it shall be the duty of the officers
326 charged with the printing and furnishing of ballots to
327 furnish to the election judges of such precinct two sets
328 of official ballots, one set including the names of

329 candidates for trustees of such sanitary district, and
330 one set without such names. All provisions of the primary
331 and general election laws of Iowa shall govern the nomination
332 and election of trustees hereunder, so far as applicable
333 and except as modified hereby.”

334 17. “Sec. Section three hundred fifty-eight
335 point nine (358.9), unnumbered paragraph three (3), Code 1971,
336 is amended to read as follows:

337 In cases where the state of Iowa owns at least four
338 hundred acres of land contiguous to lakes within said
339 district, then and only then the Iowa natural resources
340 council shall appoint two members of said board of
341 trustees in addition to the three members hereinbefore
342 provided in this section. The additional two members
343 shall be qualified as follows: They shall be United States
344 citizens, not less than [twenty-one] *eighteen* years of age,
345 and shall be property owners within said district. In
346 such cases the two additional appointive members shall
347 have equal vote and authority with other members of
348 trustees and shall hold office at the pleasure of the
349 Iowa natural resources council.”

350 18. “Sec. Section three hundred seventy-eight
351 point five (378.5), Code 1971, is amended to read as follows:

352 378.5 QUALIFICATIONS. Bona fide citizens and resi-
353 dents of the city or town, except as qualified by sections
354 378.2 and 378.3, male or female, [over the age of twenty-one]
355 *eighteen years of age or over*, are alone eligible to member-
356 ship.”

357 19. “Sec. Section three hundred seventy-nine
358 point six (379.6), Code 1971, is amended to read as
359 follows:

360 379.6 QUALIFICATION. Only bona fide citizens and
361 residents of the city or town, male or female, [over the
362 age of twenty-one] *eighteen years of age or over*, shall be
363 eligible to membership.”

364 20. “Sec. Section four hundred sixty-two point
365 seven (462.7), Code 1971, is amended to read as follows:

366 462.7 ELIGIBILITY OF TRUSTEES. Each trustee shall
367 be a citizen of the United States not less than [twenty-one]
368 *eighteen* years of age, a resident of the county, and the
369 bona fide owner of agricultural land in the election district
370 for which he is elected.”

371 21. “Sec. Section four hundred sixty-two point
372 eleven (462.11), Code 1971, is amended to read as follows:

373 462.11 QUALIFICATIONS OF VOTERS. Each landowner
374 [over twenty-one] *eighteen* years of age *or over* without
375 regard to sex and any railway or other corporation owning
376 land in said district assessed for benefits shall be entitled
377 to one vote only, except as provided in section 462.12.”

378 22. “Sec. Section four hundred twenty-five point
379 fifteen (425.15), Code 1971, is amended to read as follows:

380 425.15 DISABLED VETERAN TAX CREDIT. In the event
381 the owner of the homestead, allowed a credit under this
382 chapter, is a veteran of any of the military forces of

383 the United States who acquired the homestead under the
384 provisions of the United States Code, title 38, chapter 21,
385 sections 801 and 802, the credit allowed on said homestead
386 from the homestead credit fund herein provided shall be
387 the entire amount of the tax levied on said homestead. The
388 credit herein allowed shall be continued to the estate of
389 such veteran who is deceased or the surviving spouse and
390 [children] *any child, as defined in section 232.2, subsection 3,*
391 *who are the beneficiaries thereof so long as the surviving*
392 *spouse remains unmarried [and until any surviving unmarried*
393 *children reach the age of twenty-one years]. The provisions*
394 *of this section shall not be applicable to the holder of*
395 *title to any such homestead whose annual income, together*
396 *with that of his spouse, if any, for the last preceding*
397 *twelve-month income tax accounting period exceeds five*
398 *thousand dollars. For the purpose of this section 'income'*
399 *means taxable income for federal income tax purposes plus*
400 *income from securities of state and other political*
401 *subdivisions exempt from federal income tax. Any veteran*
402 *or his beneficiary who elects to secure the credit pro-*
403 *vided in this section shall not be eligible for any other*
404 *real property tax exemption provided by law for veterans*
405 *of military service."*

406 23. "Sec. Section five hundred fourteen A point
407 two (514A.2), subsection one (1), paragraph 'c', Code 1971,
408 is amended to read as follows:

409 c. It purports to insure only one person, except
410 that a policy may insure, originally or by subsequent
411 amendment, upon the application of an adult member of
412 a family who shall be deemed the policyholder, any two
413 or more eligible members of that family, including husband,
414 wife, dependent children or any children under a specified
415 age which shall not exceed [nineteen] *eighteen* years and any
416 other person dependent upon the policyholder; and".

417 24. "Sec. Section five hundred ninety-eight
418 point one (598.1), subsection two (2), Code 1971, is
419 amended to read as follows:

420 2. 'Support' or 'support payments' means any amount
421 which the court may require either of the parties to
422 pay under a temporary order or a final judgment or decree,
423 and may include alimony, child support, maintenance, and
424 any other term used to describe such obligations. *Such*
425 *obligations may include support for a child who is between*
426 *the ages of eighteen and twenty-two years who is regularly*
427 *attending an approved school in pursuance of a course of*
428 *study leading to a high school diploma or its equivalent,*
429 *or regularly attending a course of vocational technical*
430 *training either as a part of a regular school program or*
431 *under special arrangements adapted to the individual*
432 *person's needs; or is, in good faith, a full-time student*
433 *in a college, university, or area school; or has been*
434 *accepted for admission to a college, university, or area*
435 *school and the next regular term has not yet begun; or*
436 *a child of any age who is dependent on the parties to the*

437 *dissolution proceedings because of physical or mental*
 438 *disability."*

439 25. "Sec. Section six hundred thirty-three
 440 point three hundred seventy-six (633.376), Code 1971,
 441 is amended to read as follows:

442 633.376 ALLOWANCE TO MINOR CHILDREN WHO DO NOT
 443 RESIDE WITH SURVIVING SPOUSE. The court may also make
 444 an allowance to [the minor children] *a child* of the
 445 decedent *who is less than eighteen years of age or who*
 446 *is between the ages of eighteen and twenty-two years*
 447 *who is regularly attending an approved school in pursuance*
 448 *of a course of study leading to a high school diploma or*
 449 *its equivalent, or regularly attending a course of*
 450 *vocational technical training either as a part of a regular*
 451 *school program or under special arrangements adapted to*
 452 *the individual person's needs; or is, in good faith, a*
 453 *full-time student in a college, university, or area school;*
 454 *or has been accepted for admission to a college, university,*
 455 *or area school and the next regular term has not yet begun;*
 456 *or a child of any age who is dependent on the parties to*
 457 *the dissolution proceedings because of physical or mental*
 458 *disability; [,] who [do] does not reside with the surviving*
 459 *spouse, of such an amount as it deems reasonable in the light*
 460 *of the assets and condition of the estate, to provide for*
 461 *their proper support during such period of twelve months."*

462 13. By renumbering the sections and correcting the cross
 463 references to conform with this amendment.

REPORTS OF COMMITTEE

Strothman of Henry, from the committee on agriculture, submitted the following reports:

MR. SPEAKER: Your committee on agriculture, to whom was referred **House File 1067**, a bill for an act relating to the disposition of proceeds from a casual farm auction sale, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same **be amended as follows, and when so amended the bill do pass**:

Amend House File 1067, page 2, by striking from lines 17 and 18 the following: ", or where the clerk might reasonably expect a lien to be filed".

STROTHMAN of Henry, Chairman

Also:

MR. SPEAKER: Your committee on agriculture, to whom was referred **House File 1078**, a bill for an act relating to the placing of permit numbers on containers of agricultural seeds, begs leave to report the same back to the House with the recommendation that the same **do pass**.

STROTHMAN of Henry, Chairman

Also:

MR. SPEAKER: Your committee on agriculture, to whom was referred **Senate File 334**, a bill for an act relating to the vending of foods and bev-

erages and providing a penalty, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same **do pass**.

STROTHMAN of Henry, Chairman

AMENDMENTS FILED

1 Amend House File 1109, by inserting the following be-
2 fore the period in line 25 on page 2:
3 “, but shall not include items commonly known as
4 specialty advertising items routinely given by financial
5 institutions to customers as general advertising and not
6 to induce the maintaining or adding to an existing
7 account”.

FISCHER of Grundy

1 Amend House File 1113, page 4, by inserting after line 15
2 the following new section:
3 “Sec. 2. This Act, being deemed of immediate
4 importance, shall take effect and be in force from
5 and after its publication in the Iowa Falls Citizen,
6 a newspaper published in Iowa Falls, Iowa, and in
7 the Bremer County Independent, a newspaper published
8 in Waverly, Iowa.”

WELDEN of Hardin

1 Amend Senate File 85, as amended and passed by the
2 Senate and reprinted as follows:
3 1. By striking everything after the enacting
4 clause and inserting in lieu thereof the following:
5 Section 1. All of the functions, duties and
6 responsibilities of the Iowa natural resources council
7 created pursuant to section four hundred fifty-five
8 A point three (455A.3) of the Code, the Iowa water
9 pollution control commission created pursuant to
10 section four hundred fifty-five B point three (455B.3)
11 of the Code, the Iowa air pollution control commis-
12 sion created pursuant to section one hundred thirty-
13 six B point three (136B.3) of the Code, the chemical
14 technology review board created pursuant to section
15 two hundred six A point one (206A.1) of the Code,
16 and the functions, duties and responsibilities of
17 the commissioner of public health relating to sanitary
18 disposal projects under chapter four hundred six (406)
19 of the Code, are transferred and assigned to the Iowa
20 natural and environmental resources council, and such
21 chapters shall be administered and enforced as therein
22 provided.
23 Sec. 2. Section four hundred fifty-five A point
24 one (455A.1), unnumbered paragraph one (1), Code 1971,
25 is amended as follows:
26 As used in this chapter, “council” means “Iowa
27 Natural and Environmental Resources Council”;
28 Sec. 3. Section four hundred fifty-five A point
29 two (455A.2), unnumbered paragraph one (1), Code 1971,

30 is amended as follows:

31 It is hereby recognized that the protection of
32 life and property from floods, the prevention of
33 damage to lands therefrom and the orderly development,
34 wise use, protection and conservation of the water
35 resources of the state by the considered and proper
36 use thereof, is of paramount importance to the welfare
37 and prosperity of the people of the state, and, to
38 realize these objectives it is hereby declared to
39 be the policy of the state to correlate and vest the
40 powers of the state in a single agency, the Iowa
41 *natural and environmental* resources council, with
42 the duty and authority to establish and enforce an
43 appropriate comprehensive state-wide program for the
44 control, utilization, and protection of the surface
45 and ground-water resources of the state. It is hereby
46 declared that the general welfare of the people of
47 the state of Iowa requires that the water resources
48 of the state be put to beneficial use to the fullest
49 extent of which they are capable, and that the waste
50 or unreasonable use, or unreasonable methods of use,
51 of water be prevented, and that the conservation of
52 such water be exercised with the view to the reasonable
53 and beneficial use thereof in the interest of the
54 people, and that the public and private funds for
55 the promotion and expansion of the beneficial use
56 of water resources shall be invested to the end that
57 the best interests and welfare of the people are
58 served.

59 Sec. 4. Section four hundred fifty-five A point
60 three (455A.3), Code 1971, is amended as follows:

61 455A.3 CREATION. There is hereby created and
62 established an Iowa *natural and environmental* resources
63 council. The council is established as an agency
64 of the state government to promote the policies set
65 forth in this chapter and shall represent the state
66 of Iowa in all matters within the scope of this
67 chapter.

68 Sec. 5. Section four hundred fifty-five A point
69 thirty-four (455A.34), Code 1971, is amended as
70 follows:

71 455A.34 ADDITIONAL POWERS—LICENSING OF DAMS.
72 After April 17, 1949, the term "council", as used
73 in chapter 469, shall be construed to refer to the
74 Iowa *natural and environmental* resources council
75 unless specifically otherwise provided.

76 Sec. 6. Chapter four hundred fifty-five A (455A),
77 Code 1971, is amended by adding the following new
78 sections:

79 "The membership of the initial Iowa *natural and*
80 *environmental* resources council shall consist of the
81 following:

82 1. The three members of the Iowa *natural resources*
83 council, whose terms are to expire on July 1, 1975.

84 The governor shall designate that one member's term

85 shall expire on July 1, 1973, the other member's term
86 shall expire on July 1, 1975, and the remaining
87 member's term shall expire on July 1, 1977.

88 2. Two of the members of the Iowa water pollution
89 control commission who are not holding public office.
90 The governor shall select the two members with the
91 approval of two-thirds of the members of the senate.
92 He shall designate that one member's term shall expire
93 on July 1, 1973 and the other member's term shall
94 expire on July 1, 1975.

95 3. The two members of the chemical technology
96 review board appointed by the governor, whose terms
97 are to expire on July 30, 1974. The governor shall
98 designate that one member's term shall expire on July
99 1, 1975 and the other member's term shall expire on
100 July 1, 1977.

101 4. Two of the appointed members of the Iowa air
102 pollution control commission. The governor shall
103 select the two members with the approval of two-thirds
104 of the members of the senate. He shall designate that
105 one member's term shall expire on July 1, 1973 and
106 the other member's term shall expire on July 1, 1977."

107 Sec. 7. The terms of members of the Iowa natural
108 resources council, the Iowa water pollution control
109 commission, the Iowa air pollution control commission,
110 and the chemical technology review board who are
111 not selected for membership or appointed to the Iowa
112 natural and environmental resources council under
113 this Act, shall expire on the effective date of this
114 Act.

115 Sec. 8. The personnel, equipment, leased or
116 assigned office space and facilities, the budget
117 balances remaining on the effective date of this Act,
118 of the Iowa natural resources council, the Iowa air
119 pollution control commission, the Iowa water pollution
120 control commission, the chemical technology review
121 board, the state department of health relating to
122 air or water pollution control programs and sanitary
123 disposal projects, and the state department of
124 agriculture relating to the chemical technology re-
125 view board are transferred and assigned to the Iowa
126 natural and environmental resources council.

127 Sec. 9. Section one hundred thirty-six B point
128 two (136B.2), subsection five (5), Code 1971, is
129 amended as follows:

130 5. "Commissioner" means the [commissioner of public
131 health] *director of the Iowa natural and environmental*
132 *resources council.*

133 Sec. 10. Section one hundred thirty-six B point
134 two (136B.2), subsection six (6), Code 1971, is
135 amended as follows:

136 6. "Commission", "*Iowa air pollution control*
137 *commission*" or "*department*" means the [air pollution
138 control commission created by this chapter *Iowa natural*

139 *and environmental resources council.*

140 Sec. 11. Section one hundred thirty-six B point
141 three (136B.3), Code 1971, is amended by striking
142 the section and inserting in lieu thereof the
143 following:

144 136B.3 GENERAL PROVISIONS. The Iowa natural and
145 environmental resources council shall perform the
146 duties and functions assigned to it in this chapter
147 and may appoint a technical secretary who shall be
148 a technically qualified engineer.

149 Sec. 12. Section two hundred six A point one
150 (206A.1), Code 1971, is amended by striking the sec-
151 tion and inserting in lieu thereof the following:

152 206A.1 GENERAL PROVISIONS. The Iowa natural and
153 environmental resources council shall perform the
154 duties and functions assigned to it in this chapter.
155 As used in this chapter, "chemical technology review
156 board" or "board" means the Iowa natural and
157 environmental resources council.

158 Sec. 13. Section four hundred six point four
159 (406.4), Code 1971, is amended as follows:

160 The [commissioner of public health] *director of the*
161 *Iowa natural and environmental resources council* shall
162 administer the provisions of this chapter[, and the
163 provisions of chapter 135 shall be applicable to this
164 chapter].

165 Local boards of health shall co-operate in the
166 enforcement of this chapter and the [commissioner of
167 public health] *director of the Iowa natural and*
168 *environmental resources council* may seek their aid
169 and delegate duties of the [state department of health]
170 *Iowa natural and environmental resources council under*
171 *this chapter* to local boards of health [in the manner
172 provided in chapter 137].

173 Sec. 14. Sections four hundred six point five
174 (406.5), four hundred six point six (406.6), four
175 hundred six point seven (406.7), four hundred six
176 point nine (406.9), and four hundred six point ten
177 (406.10), Code 1971, are amended by striking from
178 the sections the words "commissioner of public health"
179 and inserting in lieu thereof the words "director
180 of the Iowa natural and environmental resources
181 council".

182 Sec. 15. Section four hundred fifty-five B point
183 two (455B.2), subsection ten (10), Code 1971, is
184 amended as follows:

185 10. "Commission" means the Iowa [water pollution
186 control commission] *natural and environmental resources*
187 *council*.

188 Sec. 16. Section four hundred fifty-five B point
189 two (455B.2), Code 1971, is amended by adding the
190 following new subsection:

191 "Director" means the director of the Iowa natural
192 and environmental resources council or his designee.

193 Sec. 17. Section four hundred fifty-five B point
194 nine (455B.9), subsections one (1), three (3), five
195 (5), and six (6), Code 1971, are amended as follows:

196 1. The commission [through the state department
197 of health] shall have general supervision over admin-
198 istration and enforcement of all laws relating to
199 the pollution of any water of the state, except as
200 provided in section 135.11.

201 3. The commission may cause the state department
202 of health director to conduct investigations upon
203 the written petition of:

204 a. The governing body of any city or town.

205 b. The local board of health.

206 c. The supervisors of any county.

207 d. Twenty-five residents of the state.

208 e. Any state agency or agencies.

209 5. To require plans and specifications for disposal
210 systems or any part thereof to be submitted to the
211 [state department of health] *director* for approval or
212 disapproval.

213 6. To direct the [state department of health]
214 *director* to issue, revoke, modify, or deny permits,
215 under such conditions as it may prescribe for the
216 prevention or abatement of pollution, for the discharge
217 of sewage, industrial waste or other wastes or for
218 the installation or operation of disposal systems
219 or parts thereof.

220 Sec. 18. Section four hundred fifty-five B point
221 ten (455B.10), Code 1971, is amended as follows:

222 455B.10 INVESTIGATIONS. The [state department
223 of health] *director* shall conduct such investigations
224 as may be necessary to carry out the provisions of
225 this chapter.

226 Sec. 19. Section four hundred fifty-five B point
227 eleven (455B.11), Code 1971, is amended as follows:

228 455B.11 ORDERS. The [state department of health]
229 *director* in accordance with the direction and policies
230 of the commission may issue, modify, or revoke such
231 orders as may be required for the prevention or dis-
232 continuance of the discharge of sewage, industrial
233 waste or other wastes in any waters of the state re-
234 sulting in pollution in excess of the applicable
235 quality standard established by the commission.

236 Sec. 20. Section four hundred fifty-five B point
237 fourteen (455B.14), Code 1971, is amended as follows:

238 455B.14 PERMISSION TO ENTER LANDS OR WATERS.

239 The commission[, its agents,] and *its* employees [of the
240 state department of health] may enter upon any lands
241 or waters in the state and bordering on the state,
242 for the purpose of making any investigation,
243 examination, survey, or study concerning the quality
244 or pollution of such waters.

245 Sec. 21. Section four hundred fifty-five B point
246 fifteen (455B.15), Code 1971, is amended as follows:

247 455B.15 HEARINGS. When the commission or [state

248 department of health] *the director* conducts any hear-
249 ing or investigation, any member of the commission
250 or any employee or agent authorized in writing by
251 the commission [or employee of the state department
252 of health] may administer oaths, examine witnesses
253 and issue, in the name of the commission, subpoenas
254 requiring the attendance and testimony of witnesses
255 and the production of evidence relevant to any matter
256 involved in such hearing or investigation. Witnesses
257 shall receive the same fees and mileage as in civil
258 actions.

259 Sec. 22. Section four hundred fifty-five B point
260 seventeen (455B.17), subsections two (2) and three
261 (3), Code 1971, are amended as follows:

262 2. Notwithstanding the provisions of subsection
263 1 the commission or [state department of health] *the*
264 *director*, when it has first been determined that an
265 emergency exists respecting any matter affecting or
266 likely to affect the public health, may make a
267 temporary order without notice and without hearing.
268 A copy of such temporary order shall be served as
269 provided in subsection 1. Any such temporary order
270 entered by the commission or the [state department
271 of health] *director*, shall be binding and effective
272 immediately until such order is reviewed by a hearing
273 or is modified or reversed by the court.

274 3. After such hearing the commission may, if it
275 finds the alleged offender is guilty of the charges,
276 enter an order directing such person to desist in
277 the practice found to be the cause of such pollution,
278 taking into account the use to which the water is
279 being or may be put or the commission upon the rec-
280 ommendation of the state department of health director
281 may order a change in the method of discharging sewage,
282 industrial wastes and other wastes into the water
283 so that the same will not result in pollution and
284 the method shall be in compliance with the effluent
285 or water quality standards adopted by the commission.

286 Sec. 23. Section four hundred fifty-five B point
287 twenty-five (455B.25), Code 1971, is amended as fol-
288 lows:

289 455B.25 UNLAWFUL ACTS.

290 1. It shall be unlawful to carry on any of the
291 following activities without first securing a written
292 permit from the [state department of health] *director*
293 as may be required by the commission for the disposal
294 of all sewage, industrial waste, or other wastes which
295 are or may be discharged into the waters of the state.

296 a. The construction, installation or modification
297 of any disposal system or part thereof or any extension
298 or addition thereto.

299 b. The construction or use of any new outlet for
300 the discharge of any sewage or wastes directly into
301 the waters of the state. However, no permit shall
302 be required for any new disposal system or extension

303 or addition to any existing disposal system that
304 receives only domestic or sanitary sewage from a
305 building, housing or occupied by fifteen persons or
306 less.

307 2. Plans and specifications for any waste disposal
308 system covered by subsection 1 of this section shall
309 be submitted to the commission before a written permit
310 may be issued and the construction of any such waste
311 disposal system shall be in accordance with plans
312 and specifications as approved by the [state department
313 of public health] *director*. If it is necessary or
314 desirable to make material changes in such plans or
315 specifications, revised plans or specifications to-
316 gether with reasons for the proposed changes must
317 be submitted to the commission for a supplemental
318 written permit.

319 Any person convicted of violating this section
320 shall be fined in a sum not to exceed one thousand
321 dollars.

322 Sec. 24. Section four hundred fifty-five B point
323 twenty-seven (455B.27), Code 1971, is amended as
324 follows:

325 455B.27 ASSISTANCE BY GOVERNMENTAL AGENCIES.

326 The commission and the state department of health
327 director may request and receive from any department,
328 division, board, bureau, commission public body,
329 or agency of the state, or of any political subdivision
330 thereof, or from any organization, incorporated or
331 unincorporated, which has for its object the control
332 or use of any of the water resources of the state,
333 such assistance and data as will enable the commission
334 or department to properly carry out its activities
335 and effectuate its purposes under the provisions of
336 this chapter. The commission or [department] *the di-*
337 *rector* shall reimburse such agencies for special
338 expense resulting from expenditures not normally
339 part of the operating expenses of any such agency.

340 Sec. 25. Section four hundred fifty-five C point
341 one (455C.1), subsection two (2), Code 1971, is amend-
342 ed as follows:

343 2. "Commission" or "Iowa water pollution control
344 commission" means the Iowa *natural and environmental*
345 *resources council* [water pollution control commission.]

346 Sec. 26. Sections four hundred fifty-five B point
347 four (455B.4), four hundred fifty-five B point five
348 (455B.5), four hundred fifty-five B point six (455B.6),
349 four hundred fifty-five B point seven (455B.7), and
350 four hundred fifty-five B point eight (455B.8), Code
351 1971, are repealed.

352 Sec. 27. Section one hundred thirty-six B point
353 two (136B.2), Code 1971, is amended by striking
354 subsection seven (7).

355 Sec. 28. Section four hundred fifty-five B point
356 nine (455B.9) subsection four (4), Code 1971, is

357 amended by striking unnumbered paragraph two (2).
358 2. Page 1, line 1, by striking the words
359 "department of environmental quality," and inserting
360 in lieu thereof the words "natural and environmental
361 resources council, and".
362 3. Page 1, lines 2 and 3, by striking the words
363 ", and providing penalties for violations thereof"
364 and inserting in lieu thereof a period.

WELDEN of Hardin

On motion by Varley of Adair, the House adjourned until
10:00 a.m., Monday, February 7, 1972.

JOURNAL OF THE HOUSE

Twenty-ninth Calendar Day—Twenty-first Session Day

**HALL OF THE HOUSE OF REPRESENTATIVES
DES MOINES, IOWA, MONDAY, FEBRUARY 7, 1972**

The House met pursuant to adjournment, Speaker Harbor in the chair.

Prayer was offered by the Reverend James Ramson, stated clerk of Northwest Iowa Presbytery, LeMars, Iowa.

The Journal of Friday, February 4, 1972, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Don Faber, LeMars, Iowa.

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Twenty-five fifth grade students from Percy Hoak School, Des Moines, Iowa, accompanied by their instructors, Miss Brady and Mrs. Burgraff. By Kinley of Polk.

PETITIONS FILED

The following petition was received and placed on file:

By Taylor of Dubuque, from eighteen members of the Junior Department of the Dubuque Women's Club urging legislation to make it mandatory for each city and town to set aside a percentage of refunds on sales of liquor and liquor licenses for the purpose of rehabilitating drug users and alcoholics.

ADOPTION OF COMMITTEE REPORTS

The Chief Clerk announced the adoption of reports of committees on House Files 1067 and 1078 and Senate File 334, under Rule 35.

INTRODUCTION OF BILLS

House File 1143, by Freeman, a bill for an act relating to installment loans by state banks.

Read first time and referred to committee on **commerce**.

House File 1144, by Hansen, a bill for an act relating to rehiring of former state employees and transfers of state employees.

Read first time and referred to committee on **state government**.

House File 1145, by Mendenhall, a bill for an act to increase the covered wage limit under the Iowa public employees' retirement system.

Read first time and referred to committee on **state government**.

House File 1146, by Mendenhall, Tieden, Menefee, McElroy, Kehe, Kennedy, Hansen and Edelen (Riley, Gilley, Shawver and Kennedy), a bill for an act relating to the conversion of the commercial television network under the control of the state board of regents.

Read first time and referred to committee on **higher education**.

House File 1147, committee on state government, a bill for an act relating to the election laws and providing penalties for violations thereof.

Read first time and **placed on the calendar**.

SENATE MESSAGE CONSIDERED

Senate File 336, a bill for an act relating to replevin bonds.

Read first time and referred to committee on **judiciary**.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File 1069, a bill for an act relating to contracts of county superintendents of schools.

Also: That the Senate has adopted the following concurrent resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 104, urging the congress of the United States to adopt legislation regarding the east and west coasts dock strikes.

CARROLL A. LANE, Secretary

SENATE CONCURRENT RESOLUTION 104

By Committees on Agriculture and Transportation

Whereas, disruption of any phase of the transportation system is disastrous to the national public interest and welfare; and

Whereas, the national railway act appears to be outmoded, necessitating action by congress to provide permanent guidelines for settlement of labor-management disputes in our transportation system; and

Whereas, the health and safety of the public, particularly in densely populated areas, are often threatened within hours after the beginning of a transportation strike; and

Whereas, the economic well-being of certain groups is seriously impaired within days after the beginning of a transportation strike; and

Whereas, the recent dock strike at gulf coast ports has cost the Iowa soybean and corn producers millions of dollars and permanent loss of market; and

Whereas, producers of perishable products sustained serious losses within hours after the walkout of dock workers at west coast ports; and

Whereas, a continuation of renewal of the current disruption of the flow of farm and manufactured products to foreign countries will drastically reduce income in Iowa; and

Whereas, management and labor have not up to this time been provided with adequate machinery to settle differences of opinion and in order that both management and labor may negotiate without adverse effects upon the economy it is necessary that the proper procedures be developed which are not advantageous to either management or labor; and

Whereas, the threat of an extended strike or lockout, which is incentive for serious collective bargaining in other labor-management disputes, is not effective in transportation disputes because of the dire public necessity for continuing use of transportation facilities; Now, Therefore,

Be It Resolved by the Senate, the House Concurring: That we urge the congress of the United States to take immediate action to settle the west coast dock strike and provide permanent procedures for settlement of transportation disputes including the gulf coast and east coast dock strikes; and

Be It Further Resolved: That we urge the congress of the United States to immediately adopt legislation establishing permanent guidelines and procedures for settlement of transportation disputes aimed at preventing either lockouts or strikes.

Be It Further Resolved: That duly authenticated copies of this resolution be transmitted to the President, Secretary of Labor, Secretary of Transportation, and the following members of the United States Congress: Speaker of the House, House Majority and Minority Leaders, Senate Majority and Minority Leaders, Chairmen of the Senate and House Committees on Labor and Commerce, Senators Jack Miller and Harold Hughes and members of the House of Representatives from the state of Iowa.

Laid over under Rule 25.

HOUSE CONCURRENT RESOLUTION 108

By Christensen, Doyle, Kelly, McCormick, and Schwieger

Whereas, institutional counselors are necessary for rehabilitative services at the state's penal and correctional institutions; and

Whereas, the case load of the penal and correctional institutions counselors is too high to allow for the adequate and effective counseling that is necessary; and

Whereas, parole under the supervision of parole agents is one of the most efficient and effective means of helping inmates to return to the communities of this state as productive citizens; and

Whereas, the case load of the state's parole agents is too high to allow the parole agents to operate as effectively as possible; and

Whereas, the Iowa crime commission has subgrants available for the hiring of additional counselors and parole agents by the department of social services, *Now Therefore*,

Be It Resolved by the House of Representatives, the Senate Concurring, That the department of social services is urged to apply for, on a priority basis, the subgrants available from the Iowa crime commission for the hiring of additional counselors and parole agents.

Laid over under Rule 25.

HOUSE CONCURRENT RESOLUTION 109

By Logemann

Whereas, disruption of any phase of the transportation system is disastrous to the national public interest and welfare; and

Whereas, the national railway act appears to be outmoded, necessitating action by congress to provide permanent guidelines for settlement of labor-management disputes in our transportation system; and

Whereas, the health and safety of the public, particularly in densely populated areas, are often threatened within hours after the beginning of a transportation strike; and

Whereas, the economic well-being of certain groups is seriously impaired within days after the beginning of a transportation strike; and

Whereas, the recent dock strike at gulf coast ports has cost the Iowa soybean and corn producers millions of dollars and permanent loss of market; and

Whereas, producers of perishable products sustained serious losses within hours after the walkout of dock workers at west coast ports; and

Whereas, a continuation or renewal of the current disruption of the flow of farm and manufactured products to foreign countries will drastically reduce income in Iowa; and

Whereas, this disruption could depress farm prices as much as twenty-five cents per bushel for soybeans and ten cents per bushel for corn (This could mean a loss of one hundred twenty-five million dollars in income to soybean farmers and one hundred twenty million dollars for corn growers); and

Whereas, it has been estimated that about 80% of Iowa's total economy is agriculture-related so that any disruption in the movement of farm commodities will affect whole state; and

Whereas, Iowa agricultural interests, both public and private, have spent much time and money establishing and developing foreign markets for their products and failure to supply these markets for any reason causes foreign buyers to search for alternate and more dependable sources of supply resulting in possible permanent loss of some of this hard-won trade; and

Whereas, efforts are being made on a national scale to bring U. S. exports into balance with imports; and

Whereas, in some cases the dock stoppages and strikes are merely inter-union disputes over work rules, procedures or jurisdictional matters; and

Whereas, the threat of an extended strike or lockout, which is incentive for serious collective bargaining in other labor-management disputes, is not effective in transportation disputes because of the dire public necessity for continuing use of transportation facilities; *Now, Therefore*,

Be It Resolved by the House of Representatives, the Senate Concurring, That we urge the congress of the United States to take immediate action to settle the west coast dock strike and provide permanent procedures for settlement of transportation disputes including the gulf coast and east coast dock strikes; and

Be It Further Resolved: That we urge the congress of the United States to immediately adopt legislation establishing permanent guidelines and procedures for settlement of transportation disputes aimed at preventing either lockouts or strikes.

Be It Further Resolved: That duly authenticated copies of this resolution be transmitted to the President, Secretary of Labor, Secretary of Transportation, and the following members of the United States Congress: Speaker of the House, House Majority and Minority Leaders, Senate Majority and Minority Leaders, Chairmen of the Senate and House Committees on Labor and Commerce, Senators Jack Miller and Harold Hughes and the members of the House of Representatives from the state of Iowa.

Laid over under Rule 25.

CONSIDERATION OF BILLS

REGULAR CALENDAR

House File 478, a bill for an act relating to a statute of limitations on action to recover from uninsured motorist insurance, with report of committee recommending passage, was taken up for consideration.

Kreamer of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 478)

The ayes were, 81:

Alt	Bray	Cochran	Drake
Anania	Camp	Curtis	Dunton
Andersen	Campbell	Den Herder	Edelen
Bennett	Christensen	Dougherty	Egenes
Blouin	Clark	Doyle	Ellsworth

Fischer, H. O.	Logemann	Pierson	Strand
Fisher, C. R.	McCormick	Priebe	Stromer
Freeman	McElroy	Rex	Strothman
Gluba	Mendenhall	Rodgers	Taylor
Grassley	Menefee	Roorda	Tieden
Hamilton	Middleswart	Sargisson	Trowbridge
Hansen	Millen	Schroeder	Uban
Hill	Miller	Schwartz	Varley
Holden	Moffitt	Schwieger	Waugh
Husak	Nielsen	Shaw	Welden
Kehe	Norpel	Siglin	Willits
Knoblauch	Nystrom	Small	Winkelman
Kreamer	Patton	Sorg	Wirtz
Kruse	Pellett	Stanley	Wyckoff
Lawson	Pelton	Stokes	Mr. Speaker
Lipsky			

The nays were, 9:

Jesse	Larson	Radl	Scott
Kennedy	Monroe	Schmeiser	Wells
Knoke			

Absent or not voting, 10:

Bergman	Goode	Kinley	Mollett
Ewell	Johnston	Mayberry	Skinner
Franklin	Kelly		

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

House File 680, a bill for an act to clarify the status of law-enforcement officers appointed by the state conservation commission, was taken up for consideration.

Menefee of Fayette moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 680)

The ayes were, 90:

Alt	Dunton	Kelly	Moffitt
Anania	Edelen	Kennedy	Monroe
Andersen	Egenes	Kinley	Nielsen
Bennett	Ellsworth	Knoke	Norpel
Bergman	Ewell	Kreamer	Nystrom
Blouin	Fischer, H. O.	Kruse	Patton
Bray	Fisher, C. R.	Larson	Pellett
Camp	Freeman	Lawson	Pierson
Campbell	Gluba	Lipsky	Priebe
Christensen	Grassley	Logemann	Rex
Clark	Hamilton	McCormick	Rodgers
Cochran	Hansen	McElroy	Roorda
Curtis	Hill	Mendenhall	Sargisson
Den Herder	Holden	Menefee	Schmeiser
Dougherty	Husak	Middleswart	Schroeder
Doyle	Jesse	Millen	Schwartz
Drake	Kehe	Miller	Schwieger

Scott	Strand	Uban	Willits
Siglin	Stromer	Varley	Winkelman
Small	Strothman	Waugh	Wirtz
Sorg	Taylor	Welden	Wyckoff
Stanley	Tieden	Wells	Mr. Speaker
Stokes	Trowbridge		

The nays were, 1:

Radl

Absent or not voting, 9:

Franklin	Knoblauch	Mollett	Shaw
Goode	Mayberry	Pelton	Skinner
Johnston			

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

MOTION TO RECONSIDER WITHDRAWN
(Waugh-Pierson Amendment to Senate File 85)

Andersen of Woodbury asked for unanimous consent to withdraw the motion to reconsider the vote on the Waugh-Pierson amendment to the committee amendment to Senate File 85 filed by him on January 27, 1972.

Objection was raised.

Andersen of Woodbury moved that the motion to reconsider the vote filed by him on January 27, 1972, to the Waugh-Pierson amendment to the committee amendment to Senate File 85 be withdrawn.

Roll call was requested by Blouin of Dubuque and Cochran of Webster.

On the question "Shall the motion to reconsider the vote on the Waugh-Pierson amendment be withdrawn?"

The ayes were, 59:

Alt	Grassley	Nielsen	Stokes
Andersen	Hamilton	Norpel	Strand
Bergman	Hansen	Nystrom	Stromer
Camp	Holden	Pellett	Strothman
Campbell	Husak	Pelton	Taylor
Christensen	Kehe	Pierson	Tieden
Curtis	Kruse	Priebe	Trowbridge
Den Herder	Logemann	Rex	Varley
Dougherty	McElroy	Roorda	Waugh
Drake	Mendenhall	Schmeiser	Welden
Edelen	Menefee	Schroeder	Winkelman
Ellsworth	Middleswart	Schwieger	Wirtz
Fischer, H. O.	Millen	Scott	Wyckoff
Fisher, C. R.	Miller	Siglin	Mr. Speaker
Freeman	Moffitt	Stanley	

The nays were, 13:

Blouin	Egenes	Monroe	Uban
Bray	Franklin	Patton	Wells
Clark	Hill	Sargisson	Willits
Cochran			

Absent or not voting, 28:

Anania	Jesse	Kreamer	Radl
Bennett	Johnston	Larson	Rodgers
Doyle	Kelly	Lawson	Schwartz
Dunton	Kennedy	Lipsky	Shaw
Ewell	Kinley	Mayberry	Skinner
Gluba	Knoblauch	McCormick	Small
Goode	Knoke	Mollett	Sorg

The motion prevailed and the motion to reconsider is withdrawn.

REPORTS OF COMMITTEES

Christensen of Union, from the committee on law enforcement, submitted the following report:

MR. SPEAKER: Your committee on law enforcement, to whom was referred **House File 1082**, a bill for an act relating to a course for persons convicted of operating a motor vehicle while under the influence of an alcoholic beverage, providing for the suspension of drivers licenses, providing for fees and providing a penalty, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same **do pass**.

CHRISTENSEN of Union, Chairman

Camp of Clinton, from the committee on appropriations, submitted the following report:

MR. SPEAKER: Your committee on appropriations, to whom was referred **House File 1099**, a bill for an act providing for an appraisal staff and appraisal manual in the department of revenue, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same **be amended as follows, and when so amended the bill do pass:**

Amend House File 1099, by adding after line 19, page 2, the following new section:

"Sec. 3. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1972 and ending June 30, 1973, the sum of fifty thousand (50,000) dollars, or so much thereof as may be necessary, to the department of revenue, for salaries of appraisers and the preparation and publication of an appraisal manual."

CAMP of Clinton, Chairman

Pelton of Clinton, from the committee on judiciary, submitted the following reports:

MR. SPEAKER: Your committee on judiciary, to whom was referred **House File 67**, a bill for an act relating to the fees and mileage allowances of jurors, begs leave to report it has had the same under consideration and

has instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

Amend House File 67 as follows:

1. By striking lines 6 through 16 and inserting in lieu thereof the following:

Grand jurors and petit jurors in all courts except a justice of the peace shall receive for each day's service or attendance, including attendance required for the purpose of being considered for service, ten dollars, and for each mile traveled each day to and from their residences to the place of attendance, ten cents. No juror shall receive mileage for travel in the performance of his duties when he travels in a vehicle for which another juror is receiving mileage.

Petit jurors before a justice of the peace shall receive for each day's service or attendance one dollar, and no mileage shall be allowed jurors before justices.

PELTON of Clinton, Chairman

Also:

MR. SPEAKER: Your committee on judiciary, to whom was referred **House File 1071**, a bill for an act to legalize the indebtedness of the Audubon County Agricultural Society and to provide an annual tax to pay said indebtedness, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

Amend House File 1071 as follows:

1. Page 1, by striking lines 4 through 18, inclusive.

2. Page 1, by striking lines 20 through 25, inclusive.

3. Page 2, by striking line 1 and inserting in lieu thereof the following:

"Section 1. The forty-three thousand (43,000) dollar expenditure made by the Audubon county agricultural society for improvement to the fairgrounds and a levy in 1970, for the fairground fund pursuant to section one hundred seventy-four point seventeen (174.17) of the Code, is hereby legalized. Under the provisions of section one hundred seventy-four point seventeen (174.17) of the Code, the board of supervisors of Audubon county may continue the levy to pay the indebtedness of the Audubon county agricultural society incurred prior to the effective date of this Act, until said indebtedness, plus interest, is paid."

4. Page 1, line 2, by striking from the title the word "provide" and inserting in lieu thereof the word "authorize."

PELTON of Clinton, Chairman

AMENDMENTS FILED

1 Amend the committee on conservation and recreation
2 amendment to House File 711, filed January 27, 1972,
3 as follows:

- 4 1. By adding after the period in line 86 the
5 following: "Such rules shall be in conformance with
6 chapter seventeen A (17A) of the Code."
- 7 2. By striking from line 144 the word "county"
8 and inserting in lieu thereof the word "country".
- 9 3. By adding after line 333 the following:
10 "Amend the title by striking the period in line 2
11 and inserting in lieu thereof the following: "and
12 providing a penalty for the violation thereof."

TIEDEN of Clayton

1 Amend House Joint Resolution 1002, page one,
2 line 22, by striking the words "twenty-one" and
3 inserting in lieu thereof the word "eighteen".

EWELL of Black Hawk

- 1 Amend House Joint Resolution 1002 as follows:
- 2 1. Page 1, by inserting after line twenty-
3 three the following:
4 "Section six (6) of Article four (IV) of the
5 Constitution of the State of Iowa is hereby re-
6 pealed and the following adopted in lieu thereof:
7 Sec. 6. In order to qualify for the office
8 of Governor or Lieutenant Governor, a person must
9 have been a citizen of the United States and a
10 resident of the State two years preceding the
11 election, and shall have attained the age of
12 eighteen years."
 - 13 2. Amend the title by striking the period
14 in line three and inserting the following:
15 "and to the age qualifications for the offices
16 of Governor and Lieutenant Governor."

EWELL of Black Hawk

- 1 Amend House File 1007 by adding the following new
2 section after line 12 on page 2:
3 Sec. 3. Whenever a person subject to section one
4 (1) of this Act has appeared in court and his case
5 has been processed to the point that he is no longer
6 subject to the provisions of section one (1) of this
7 Act, the county treasurer shall register and issue a
8 certificate of title or any other transfer of title
9 and registration, provided the person pays to the county
10 treasurer a handling fee of one dollar to cover the

- 11 costs of administering the provisions of this Act.
12 The handling fee shall be deposited in the county general
13 fund.

TIEDEN of Clayton
CAMP of Clinton

1 Amend Senate File 85, as amended and passed by the
2 Senate, and reprinted, as follows:

3 1. Page 2A, by striking line 33 and inserting in
4 lieu thereof the following:

5 "with public agencies of this state to provide all
6 lab-".

7 2. Page 2B, line 36, by inserting after the period
8 the following new sentence:

9 "If the executive director finds that public agencies
10 of this state cannot provide the laboratory, scientific
11 field measurement and environmental evaluation services
12 required by the department, he may contract, with the
13 approval of the executive committee, with any other
14 public or private persons or agencies for such services."

15 3. Page 3A, lines 19 and 20, by striking the words
16 "the chemical technology commission,".

17 4. Page 3A, by striking lines 22 through 35,
18 inclusive, and inserting in lieu thereof of the following:
19 "programs and services assigned to it.

20 Each commission shall have seven members appointed
21 by the governor with consent of two-thirds of the senate.
22 Three of the appointees shall be selected on the basis
23 of their knowledge and experience as active participants
24 in private enterprise in the resource area to be
25 protected by, or in the problems of preventing,
26 controlling, or abating the type of pollution under
27 the jurisdiction of, the commission to which they are
28 being appointed. The remaining four members of each
29 commission shall be electors of this state. No person
30 shall be appointed to any of the commissions if he is
31 a full-time public employee. The members of each
32 commission shall be appointed for terms of four years,
33 except that three members, designated by the governor,
34 of each initial commission shall be appointed for two-
35 year terms. No member shall be appointed to serve more
36 than two complete four-year terms."

37 5. By striking all of page 3B and on page 4, by
38 striking lines 1 through 30, inclusive, and inserting
39 in lieu thereof the following:

40 "Any commission member may be removed by the governor
41 for cause. The term of office of each member of the
42 commissions shall commence on the first day of July
43 of the year of the appointment. Vacancies occurring
44 during a term of office shall be filled by appointment
45 for the balance of the unexpired term subject to
46 confirmation by two-thirds of the senate."

47 6. Page 5, line 4, by striking the word "thirty"
48 and inserting in lieu thereof the word "forty".

49 7. Page 5, line 25, by striking the word "four"

- 50 and inserting in lieu thereof the word "three".
- 51 8. Page 5, line 27, by inserting before the word
52 "and" the words "commissioner of public health, the
53 dean of college of agriculture, Iowa state university
54 of science and technology,".
- 55 9. Page 10, by striking lines 22 through 26,
56 inclusive, and inserting in lieu thereof the following:
57 "rule and regulation, the owner or operator of any
58 air contaminant source to establish and maintain such
59 records, make such reports, install, use and maintain
60 such monitoring equipment or methods, sample such
61 emissions in accordance with such methods at such
62 locations and intervals, and using such procedures as
63 the commission shall prescribe, and provide such other
64 information as the commission may reasonably require.
65 Such classifications may be for application to".
- 66 10. Page 20, line 9, by striking the word and number
67 "July, 1971" and inserting in lieu thereof the word
68 and number "January, 1973".
- 69 11. Page 28, line 19, by striking the word "unlawful"
70 and inserting in lieu thereof the word "lawful".
- 71 12. Page 30A, by inserting after line 10 the
72 following new section:
73 "Sec. 50. In all proceedings with respect to any
74 alleged violation of the provisions of sections thirty-
75 one (31) through forty-nine (49) of this Act or any rule
76 or regulation established by the commission or the
77 department, the burden of proof shall be upon the
78 commission or the department except in an action for
79 contempt as provided in section forty-five (45) of this
80 act."
- 81 13. Page 31B, line 41, by striking the number "1971"
82 and inserting in lieu thereof the number "1972".
- 83 14. Page 45, by striking lines 15 through 18, inclu-
84 sive.
- 85 15. Page 45, line 21, by striking the word and
86 number "eighty-seven (87)" and inserting in lieu thereof
87 the word and number "eighty-nine (89)".
- 88 16. Page 45, by striking lines 24 through 35,
89 inclusive, all of pages 46 through 61, and on page 62,
90 lines 1 through 15, inclusive.
- 91 17. Page 64, lines 7 and 8, by striking the words
92 and figures "two hundred six (206), two hundred six
93 A (206A),".
- 94 18. Page 64, by striking lines 11, 12, and 13 and
95 inserting in lieu thereof the following:
96 "Sec. 95. The effective date of this Act shall be
97 the first of January, 1973, except that the governor
98 may, prior to the first of January, 1973, by executive
99 order, appoint the necessary commission".
- 100 19. Page 64, by striking from lines 15 and 16, the
101 words "authorize the executive committee to appoint
102 the executive director,".
- 103 20. Page 64, lines 20 and 21, by striking the word

104 and number "July, 1971" and inserting in lieu thereof
 105 the word and number "January, 1973".

106 21. Page 64, line 23, by striking the word and
 107 number "July, 1971" and inserting in lieu thereof the
 108 word and number "January, 1973".

109 22. Page 64, line 31, by striking the word and
 110 number "July, 1971" and inserting in lieu thereof the
 111 word and number "January, 1973".

112 23. By renumbering sections and subsections and
 113 internal references to sections and subsections to
 114 conform to this amendment.

KEHE of Bremer

1 Amend Senate File 470, as passed by the Senate,
 2 by striking everything after the enacting clause and
 3 inserting in lieu thereof the following:

4 "Section 1. Chapter five hundred nine A (509A),
 5 Code 1971, is amended by adding the following new
 6 section:

7 At the request of an employee the governing body
 8 may by contractual agreement acquire a life insurance
 9 contract, annuity contract, security or any other
 10 deferred payment contract for the purpose of funding
 11 a deferred compensation program for an employee, from
 12 any company that is authorized to do business in this
 13 state, and from any life underwriter duly licensed
 14 by this state or from any securities dealer or sales-
 15 man registered in this state to contract business in
 16 this state. The deferred compensation program may be
 17 administered so that the state comptroller or his
 18 designees may remit one sum for the entire program
 19 each pay period from which reductions are to be made.

20 The provisions of this Act shall be in addition
 21 to any benefit program provided by law for any employ-
 22 ees of the state or any of its political subdivisions."

ANDERSEN of Woodbury
FISHER of Greene

On motion by Varley of Adair, the House adjourned until 9:00
 a.m., Tuesday, February 8, 1972.

JOURNAL OF THE HOUSE

Thirtieth Calendar Day—Twenty-second Session Day

HALL OF THE HOUSE OF REPRESENTATIVES
DES MOINES, IOWA, TUESDAY, FEBRUARY 8, 1972

The House met pursuant to adjournment, Speaker Harbor in the chair.

Prayer was offered by the Reverend John Block, pastor of the St. Peters American Lutheran Church, Richfield, Iowa.

The Journal of Monday, February 7, 1972, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Don Faber, LeMars, Iowa.

PRESENTATION OF VISITORS

Den Herder of Sioux presented to the House the Honorable Conrad Ossian, former member of the House during the Fifty-seventh, Fifty-eighth, Fifty-ninth, Sixtieth, Sixtieth Extra, Sixty-first, Sixty-second, Sixty-third, First Session, and Sixty-third, Second Session, General Assemblies, representing Adams and Montgomery Counties.

Hansen of Black Hawk presented to the House the Honorable Iver Christoffersen, former member of the House during the Forty-seventh General Assembly, representing Black Hawk County.

The Speaker announced that the following visitors were present in the House chamber:

Twenty-seven students from St. Mary's School, Guttenberg, Iowa, accompanied by Sister Antonine. By Tieden of Clayton.

Forty sixth, seventh and eighth grade students from Peoria Christian School, Pella, Iowa, accompanied by their instructor, Robert DeJager. By Pierson of Mahaska.

Seventeen fifth grade students from Madison School, Des Moines, Iowa, accompanied by their instructor, Mrs. Vance. By Bennett of Polk.

Thirty fifth grade students from Mt. Olive Lutheran School, Des Moines, Iowa, accompanied by their instructors, Mr. Bockelman and Mrs. Janssen. By Kreamer of Polk.

Seven senior students from Twin Cedars Community School, of Marion County, Iowa, accompanied by their class sponsor, Mr. Bigler. By Dougherty of Monroe.

ADOPTION OF COMMITTEE REPORTS

The Chief Clerk announced the adoption of reports of committees on House Files 67, 1071, 1082 and 1099, under Rule 35.

PROOF OF PUBLICATION

Published copy of Senate File 1110 and verified proof of publication of said bill in The Gowrie News, Gowrie, Iowa, on May 26, 1971, was filed with the Chief Clerk of the House prior to the time said bill was placed on passage in the House.

WILLIAM R. KENDRICK
Chief Clerk, House of Representatives

INTRODUCTION OF BILLS

House File 1148, by Kehe and Fischer of Grundy, a bill for an act relating to the apportionment of property valuation of certain electric power generating plants.

Read first time and referred to committee on **ways and means**.

House File 1149, by Blouin, a bill for an act relating to the setting of minimum prices for retail sales of beer.

Read first time and referred to committee on **commerce**.

House File 1150, by Wyckoff, a bill for an act relating to open hunting seasons.

Read first time and referred to committee on **conservation and recreation**.

House File 1151, by Ellsworth, a bill for an act relating to regulation of premium rates for credit life and credit accident and health insurance.

Read first time and referred to committee on **commerce**.

House File 1152, by Ewell (Shawver), a bill for an act relating to the merger of county and joint county school systems and to limit their taxing powers.

Read first time and referred to committee on **schools**.

House File 1153, by Doyle, Anania, Rodgers, Pierson, Campbell, McCormick, Trowbridge, Sargisson, Curtis, Knoblauch, Wirtz, Clark, Stromer and Blouin, a bill for an act relating to the peace officers retirement system.

Read first time and referred to committee on **state government**.

House File 1154, by Nystrom, a bill for an act relating to vacation time for state employees.

Read first time and referred to committee on **state government**.

House File 1155, by Blouin, McCormick, Cochran and Bray, a bill for an act to provide property tax relief for persons sixty-five years of age or older or totally disabled.

Read first time and referred to committee on **ways and means**.

House File 1156, by committee on Iowa development, a bill for an act creating an Iowa world exposition authority, and specifying its purposes, powers and responsibilities.

Read first time and **placed on the calendar**.

House File 1157, by Fischer of Grundy, a bill for an act relating to the publication of notices.

Read first time and referred to committee on **state government**.

House File 1158, by Husak, a bill for an act relating to damage claims for injury caused by wards of the state.

Read first time and referred to committee on **judiciary**.

SENATE MESSAGES CONSIDERED

Senate File 1069, a bill for an act relating to terms of office of county superintendent of schools.

Read first time and referred to committee on **schools**.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File 1026, a bill for an act relating to actions arising out of injuries or damages to property.

CARROLL A. LANE, Secretary

ADOPTION OF HOUSE MEMORIAL RESOLUTION

Johnston of Johnson offered the following House memorial resolution and moved its adoption:

HOUSE MEMORIAL RESOLUTION

Whereas, The Honorable Scott Swisher of Johnson County, who was a member of the Fifty-sixth, Fifty-seventh, Fifty-eighth, Fifty-ninth, Sixtieth and Sixtieth Extra sessions of the General Assembly from Johnson County, passed away on February 6, 1972; *Now, Therefore*,

Be It Resolved by the House of Representatives, That a committee of three be appointed by the Speaker of the House to prepare suitable resolutions commemorating his life, character, and service to the state.

The motion prevailed and the Speaker appointed as such committee Johnston of Johnson, Small of Johnson and Dunton of Keokuk.

ANNOUNCEMENT BY THE SPEAKER

The Speaker appointed as the official delegation to attend the funeral services of former State Representative from Johnson county, Scott Swisher, the following members of the House: Representatives Harold Fischer, John Camp, A. Gordon Stokes, Arthur Small, Keith Dunton, and Joseph Johnston.

SENATE AMENDMENT CONSIDERED

House Concurs in Part—Refuses to Concur in Part
(House File 1011)

Fisher of Greene called up for consideration **House File 1011**, a bill for an act relating to the attainment of the age of majority, amended by the Senate as follows:

Amend House File 1011 as amended and passed by the House as follows:

1. Page 4, line 22, by striking the word "eighteen" and inserting in lieu thereof the word "nineteen".

2. Page 5, by striking lines 6 through 9, inclusive, and inserting in lieu thereof the following: "good moral character[, except that women may be licensed as dental hygienists, or men or women may be licensed as barbers, or as cosmetologists, upon attaining the age of eighteen years]".

3. Page 5, by striking lines 28 through 35, inclusive.

4. Page 6, by striking lines 1 through 24, inclusive.

5. Page 11, by inserting after line 20 the following new paragraph:

"However, if a child is referred to the juvenile court because of alleged delinquency by reason of the commission of an indictable offense, the court may withhold an adjudication of delinquency, retain jurisdiction of the

child, and place the child on probation until he is nineteen years of age at which time he shall be discharged. If the terms of the probation are violated before the person reaches the age of nineteen years, the court may enter an order referring the alleged commission of an indictable offense to the appropriate prosecuting authority for the proper action under the criminal law."

6. Page 12, by striking line 35.

7. Page 13, by striking lines 1 through 17, inclusive.

8. Page 16, by inserting after line 21 the following new sections:

1. "Sec. Section five hundred twenty-four point three hundred one (524.301), Code 1971, is amended to read as follows:

524.301 INCORPORATORS. A state bank may be incorporated under this chapter by not less than five individuals [over the age of twenty-one] *eighteen years of age or older*, a majority of whom shall be citizens of this state and all of whom shall be citizens of the United States."

2. "Sec. Section five hundred twenty-four point six hundred one (524.601), subsection one (1), Code 1971, is amended to read as follows:

1. The business and affairs of a state bank shall be managed by a board of five or more directors [over the age of twenty-one] *eighteen years of age or older*, a majority of whom shall be citizens of this state and all of whom shall be citizens of the United States. No individual shall be eligible to serve as a director of any state bank unless he is the owner, in his own right, free of any lien and encumbrance, of common shares in the state bank of which he is a director having a par value of not less than five hundred dollars."

9. Page 16, line 31, by adding after the word "years" the following: "*or, twenty-one years, if so designated by the donor*".

10. Page 17, line 2, by adding after the word "years" the following: "*or twenty-one years, if so designated by the donor*".

11. Page 17, line 11, by adding after the word "years" the following: "*or twenty-one years, if so designated by the donor*".

12. By adding the following new sections:

1. "Sec. Section ninety-two point twenty-three (92.23), Code 1971, is amended to read as follows:

92.23 GROUP INSURANCE. Anyone under the age of [nineteen] *eighteen* and subject to this chapter employed in the street trades who sells or delivers the product or service of another and who is designated in such capacity as an independent contractor shall be provided participation, if he desires it at group rate cost, in group insurance for medical, hospital, nursing and doctor expenses incurred as a result of injuries sustained aris-

ing out of and in the course of selling or delivering such product or service by the person, firm or corporation whose product or service is so delivered.”

2. “Sec. Section ninety-six point nineteen (96.19), subsection seven (7), paragraph ‘g’, subparagraph six (6), Code 1971, is amended to read as follows:

(6) Service performed by an individual in the employ of his son, daughter, or spouse, and service performed by a child under the age of [twenty-one] *eighteen* in the employ of his father or mother.”

3. “Sec. Section one hundred twenty-three B point fourteen (123B.14), Code 1971, is amended to read as follows:

123B.14 COLLECTION OF LIEN POSTPONED. In the case of the death of either spouse the estate of the deceased shall not be settled or the homestead sold until the surviving spouse shall die or cease to occupy the homestead or while it is occupied by the [minor children] *deceased alcoholic's child, as defined in section 232.2, subsection 3* [of an alcoholic]. However, no lien shall be enforced against any homestead so long as it be occupied by an alcoholic, his spouse or [minor children], *child, as defined in section 232.2, subsection 3*”.

4. “Sec. Section two hundred nineteen point fifteen (219.15), Code 1971, is amended to read as follows:

219.15 PAYMENT TO DEPENDENTS. Each member of the home who receives a pension or compensation and who has a dependent wife or [minor children] *child, as defined in section 232.2, subsection 3*, shall deposit with the commandant forthwith on receipt of his pension or compensation check one-half of the amount thereof, which shall be sent at once to the wife if she be dependent upon her own labor or others for support, or, if there be no wife, to the guardian of the [minor children] *child, as defined in section 232.2, subsection 3*, if dependent upon others for support. The commandment, if satisfied that the wife has deserted her husband, or is of bad character, or is not dependent upon others for support, may pay the money deposited as herein provided to the guardian of the dependent [minor children] *child, as defined in section 232.2, subsection 3*.”

5. “Sec. Section two hundred thirty point twenty-eight (230.28), Code 1971, is amended to read as follows:

230.28 CLOSING ESTATES—HOMESTEAD. In the case of the death of either the husband or wife the estate of the deceased shall not be settled or the homestead sold until the surviving spouse shall die or cease to occupy the homestead as such or while it is occupied by the [minor children of such persons] *deceased's child, as defined in section 232.2, subsection 3*. Provided, however, no lien shall be enforced against any homestead so long as it be occupied by such person, his or her spouse or [minor children] *child*.”

6. "Sec. Section two hundred thirty-two point two (232.2), subsection three (3), Code 1971, is amended to read as follows:

3. 'Child' means a person less than eighteen years of age or a person who is at least eighteen years of age but less than twenty-one years of age who is regularly attending an approved school in pursuance of a course of study leading to a high school diploma or its equivalent, or regularly attending a course of vocational or technical training either as a part of a regular school program or under special arrangements adapted to the individual person's needs."

7. "Sec. Section two hundred thirty-two point sixty-three (232.63), Code 1971, is amended to read as follows:

232.63 WHEN JURISDICTION IS EXCLUSIVE. The juvenile court shall have exclusive original jurisdiction, only, in proceedings concerning any child alleged to be delinquent, neglected or dependent, and in proceedings for termination of parental rights under sections 232.41 through 232.50, and in proceedings concerning any [minor] child alleged to have been a delinquent prior to having become eighteen years of age except as otherwise provided by law."

8. "Sec. Section two hundred thirty-four point one (234.1), Code 1971, is amended to read as follows:

234.1 DEFINITIONS. As used in this chapter: 'Division' or 'state division' means the division of child and family services of the department of social services; 'director' or 'state director' means the director of the division of child and family services of the department of social services; 'county board' means the county board of social welfare. 'Child' means a child as defined in section 232.2, subsection 3."

9. "Sec. Section two hundred thirty-five point one (235.1), Code 1971, is amended to read as follows:

235.1 DEFINITIONS. The terms 'state division', 'state director', and 'county department', [and] 'county board', and 'child' are used in this chapter and chapters 236, 237, and 238 as said terms are defined in section 234.1 and section 232.2, subsection 3.

'Child welfare services' means social welfare services for the protection and care of children who are homeless dependent or neglected, or in danger of becoming delinquent, including when necessary care and maintenance in a foster care facility."

10. "Sec. Section two hundred forty-four point ten (244.10), Code 1971, is amended to read as follows:

244.10 PLACING CHILD UNDER CONTRACT. Any child received in said homes, unless adopted, may, under written contract approved by the state director, be placed by the superintendent in the custody and care of any proper person or family. Such contract shall provide for the custody,

care, education, maintenance, and earnings of the child for a fixed time which shall not extend beyond the age of majority, *except that the time may extend beyond the child's eighteenth birthday until he is twenty-one years of age if he is regularly attending an approved school in pursuance of a course of study leading to a high school diploma or its equivalent, or regularly attending a course of vocational technical training either as a part of a regular school program or under special arrangements adapted to the individual person's needs.* Such contract shall be signed by the superintendent and by the person taking the child."

11. "Sec. Section two hundred forty-nine A point three (249A.3), subsection two (2), paragraph 'c', Code 1971, as amended by chapter one hundred fifty-seven (157), section two (2), Acts of the Sixty-fourth General Assembly, First Session, is amended to read as follows:

c. Children under [twenty-one] *eighteen* years of age whose incomes and resources are comparable to those receiving aid to dependent children."

12. "Sec. Section two hundred forty-nine A point six (249A.6), Code 1971, is amended to read as follows:

249A.6 CLAIMS AGAINST ESTATE. On the death of a person receiving or who has received assistance under this chapter, and of the survivor of a married couple, either or both of whom were so assisted and during which time such recipient was sixty-five years of age or older, the total amount paid as assistance to either shall be allowed as a claim of the sixth class against the estate of such decedent or the surviving spouse. Neither the homestead nor the proceeds therefrom of such decedent, or the survivor, shall be exempt from the payment of such claim, any Act or statute notwithstanding. An action may be brought in the name of the state to recover the same at any time within five years after the death of the person receiving aid and after the death of the survivor of the married couple, either or both of whom have received assistance under the provisions of this chapter. No such claim shall be allowed, however, until the death of the surviving spouse nor shall such claim be allowed if a child under [twenty-one] *eighteen* years of age, or a child who is blind or is permanently and totally disabled, survives a surviving spouse or a recipient who has no surviving spouse. The right to a claim existing on July 1, 1969 against the estate of any person who had, prior to said date, received medical assistance pursuant to chapter 249A, shall be preserved and continued under this chapter."

13. "Sec. Section two hundred fifty-two point fourteen (252.14), Code 1971, is amended to read as follows:

252.14 HOMESTEAD—WHEN LIABLE. When expenditures have been made for and on behalf of a poor person and his family, as contemplated by section 252.13, the homestead of such poor person is liable for such expenditures

when such poor person dies without leaving a surviving husband or wife, or [minor children] *child, as defined in section 232.2, subsection 3.*"

14. "Sec. Section two hundred fifty-two A point two (252A.2), subsection three (3), Code 1971, is amended to read as follows:

3. 'Child' includes a stepchild, foster child or legally adopted child and means a child actually or apparently under [seventeen] *eighteen* years of age, and a child over [seventeen] *eighteen* years of age who is unable to maintain himself and is likely to become a public charge.

15. "Sec. Section two hundred fifty-two A point three (252A.3), subsections one (1), two (2), and three (3), Code 1971, are amended to read as follows:

1. A husband in one state is hereby declared to be liable for the support of his wife and any child or children under [seventeen] *eighteen* years of age and any other dependent residing or found in the same state or in another state having substantially similar or reciprocal laws, and, if possessed of sufficient means or able to earn such means, may be required to pay for their support a fair and reasonable sum according to his means, as may be determined by the court having jurisdiction of the respondent in a proceeding instituted under this chapter.

2. A mother in one state is hereby declared to be liable for the support of her child or children under [seventeen] *eighteen* years of age residing or found in the same state or in another state having substantially similar or reciprocal laws, whenever the father of such child or children is dead, or cannot be found, or is incapable of supporting such child or children, and, if she is possessed of sufficient means or able to earn such means, she may be required to pay for the support of such child or children a fair and reasonable sum according to her means, as may be determined by the court having jurisdiction of the respondent in a proceeding instituted under this chapter.

3. The parents in one state are hereby declared to be severally liable for the support of a child [seventeen] *eighteen* years of age or older residing or found in the same state or in another state having substantially similar or reciprocal laws, whenever such child is unable to maintain himself and is likely to become a public charge."

16. "Sec. Section three hundred fifty-eight point nine (358.9), unnumbered paragraph one (1), Code 1971, is amended to read as follows:

Within thirty days after the organization of a sanitary district under this chapter, the board of supervisors which had jurisdiction of the proceedings for its establishment, together with the board of supervisors of any other county, if any, in which any part of said district is located, shall order an election to be held in the district on a date not more than sixty days after the date of the order for the

purpose of electing a board of trustees, consisting of three members, except as otherwise provided in this section, for the government, control and management of the affairs and business of such sanitary district. Said board, or boards, shall cause notice of said election to be posted and published, and shall perform all other acts with reference to such election, and conduct the same, in like manner as nearly as may be, as provided in this chapter for the election on the question of establishing such district. Each trustee shall be a citizen of the United States, not less than [twenty-one] *eighteen* years of age, and a resident within said sanitary district. Each voter at said election may write in upon the ballot the names of not more than three persons whom he desires for trustees and may cast not more than one vote for each of said three persons, and the three persons receiving the highest number of votes cast shall constitute the first board of trustees of the district. The term of office of the first board of trustees shall be for the period extending to the second secular day of January following the next regular biennial election. Three trustees to succeed the first board of trustees shall be nominated and elected at the next primary and regular biennial elections following establishment of the district, in the same manner as provided by the primary and general election laws of this state for the nomination and election for offices to be filled by the voters of any subdivision of a county. Said trustees shall be elected for terms of two, four, and six years respectively, and their terms shall commence on the second secular day of January next thereafter. At each succeeding biennial election one trustee shall be nominated and elected in the manner herein provided for a six-year term to succeed the trustee whose term next expires. In all elections for trustees each qualified voter resident within the district may vote one vote for each office of trustee to be filled at the election. At all elections for trustees subsequent to the election of the first board the names of all candidates for trustees of such sanitary district shall be printed on the same ballot with candidates for other offices to be filled at such election. In case a regular election precinct includes territory lying partly within and partly without the sanitary district, it shall be the duty of the officers charged with the printing and furnishing of ballots to furnish to the election judges of such precinct two sets of official ballots, one set including the names of candidates for trustees of such sanitary district, and one set without such names. All provisions of the primary and general election laws of Iowa shall govern the nomination and election of trustees hereunder, so far as applicable and except as modified hereby."

17. "Sec. Section three hundred fifty-eight point nine (358.9), unnumbered paragraph three (3), Code 1971, is amended to read as follows:

In cases where the state of Iowa owns at least four hundred acres of land contiguous to lakes within said district, then and only then the Iowa natural resources council shall appoint two members of said board of trustees in addition to the three members hereinbefore provided in this section. The additional two members shall be qualified as follows: They shall be United States citizens, not less than [twenty-one] *eighteen* years of age, and shall be property owners within said district. In such cases the two additional appointive members shall have equal vote and authority with other members of trustees and shall hold office at the pleasure of the Iowa natural resources council."

18. "Sec. Section three hundred seventy-eight point five (378.5), Code 1971, is amended to read as follows:

378.5 QUALIFICATIONS. Bona fide citizens and residents of the city or town, except as qualified by sections 378.2 and 378.3, male or female, [over the age of twenty-one] *eighteen years of age or over*, are alone eligible to membership."

19. "Sec. Section three hundred seventy-nine point six (379.6), Code 1971, is amended to read as follows:

379.6 QUALIFICATION. Only bona fide citizens and residents of the city or town, male or female, [over the age of twenty-one] *eighteen years of age or over*, shall be eligible to membership."

20. "Sec. Section four hundred sixty-two point seven (462.7), Code 1971, is amended to read as follows:

462.7 ELIGIBILITY OF TRUSTEES. Each trustee shall be a citizen of the United States not less than [twenty-one] *eighteen years of age*, a resident of the county, and the bona fide owner of agricultural land in the election district for which he is elected."

21. "Sec. Section four hundred sixty-two point eleven (462.11), Code 1971, is amended to read as follows:

462.11 QUALIFICATIONS OF VOTERS. Each landowner [over twenty-one] *eighteen years of age or over* without regard to sex and any railway or other corporation owning land in said district assessed for benefits shall be entitled to one vote only, except as provided in section 462.12."

22. "Sec. Section four hundred twenty-five point fifteen (425.15), Code 1971, is amended to read as follows:

425.15 DISABLED VETERAN TAX CREDIT. In the event the owner of the homestead, allowed a credit under this chapter, is a veteran of any of the military forces of the United States who acquired the homestead under the provisions of the United States Code, title 38, chapter 21, sections 801 and 802, the credit allowed on said homestead from the homestead credit fund herein provided shall be the entire amount of the tax levied on said homestead. The credit herein allowed shall be continued to the estate of such veteran who is deceased or the surviving spouse and

[children] *any child, as defined in section 232.2, subsection 3, who are the beneficiaries thereof so long as the surviving spouse remains unmarried [and until any surviving unmarried children reach the age of twenty-one years]. The provisions of this section shall not be applicable to the holder of title to any such homestead whose annual income, together with that of his spouse, if any, for the last preceding twelve-month income tax accounting period exceeds five thousand dollars. For the purpose of this section 'income' means taxable income for federal income tax purposes plus income from securities of state and other political subdivisions exempt from federal income tax. Any veteran or his beneficiary who elects to secure the credit provided in this section shall not be eligible for any other real property tax exemption provided by law for veterans of military service.*"

23. "Sec. Section five hundred fourteen A point two (514A.2), subsection one (1), paragraph 'c', Code 1971, is amended to read as follows:

c. It purports to insure only one person, except that a policy may insure, originally or by subsequent amendment, upon the application of an adult member of a family who shall be deemed the policyholder, any two or more eligible members of that family, including husband, wife, dependent children or any children under a specified age which shall not exceed [nineteen] *eighteen* years and any other person dependent upon the policyholder; and".

24. "Sec. Section five hundred ninety-eight point one (598.1), subsection two (2), Code 1971, is amended to read as follows:

2. 'Support' or 'support payments' means any amount which the court may require either of the parties to pay under a temporary order or a final judgment or decree, and may include alimony, child support, maintenance, and any other term used to describe such obligations. *Such obligations may include support for a child who is between the ages of eighteen and twenty-two years who is regularly attending an approved school in pursuance of a course of study leading to a high school diploma or its equivalent, or regularly attending a course of vocational technical training either as a part of a regular school program or under special arrangements adapted to the individual person's needs; or is, in good faith, a full-time student in a college, university, or area school; or has been accepted for admission to a college, university, or area school and the next regular term has not yet begun; or a child of any age who is dependent on the parties to the dissolution proceedings because of physical or mental disability.*"

25. "Sec. Section six hundred thirty-three point three hundred seventy-six (633.376), Code 1971, is amended to read as follows:

633.376 ALLOWANCE TO MINOR CHILDREN WHO DO NOT RESIDE WITH SURVIVING SPOUSE. The court may also make

an allowance to [the minor children] *a child of the decedent who is less than eighteen years of age or who is between the ages of eighteen and twenty-two years who is regularly attending an approved school in pursuance of a course of study leading to a high school diploma or its equivalent, or regularly attending a course of vocational technical training either as a part of a regular school program or under special arrangements adapted to the individual person's needs; or is, in good faith, a full-time student in a college, university, or area school; or has been accepted for admission to a college, university, or area school and the next regular term has not yet begun; or a child of any age who is dependent on the parties to the dissolution proceedings because of physical or mental disability; [.] who [do] does not reside with the surviving spouse, of such an amount as it deems reasonable in the light of the assets and condition of the estate, to provide for their proper support during such period of twelve months."*

13. By renumbering the sections and correcting the cross references to conform with this amendment.

Division of the amendment was requested.

Fisher of Greene moved that the House concur in amendment 1, lines 2 through 3 of the Senate amendment.

Roll call was requested by Fisher of Greene and Blouin of Dubuque.

On the question "Shall the House concur in amendment 1, lines 2 through 3 of the Senate amendment?"

The ayes were, 39:

Anania	Freeman	Middleswart	Stokes
Andersen	Grassley	Miller	Stromer
Bergman	Husak	Nielsen	Strothman
Campbell	Kehe	Nystrom	Tieden
Christensen	Kelly	Patton	Waugh
Den Herder	Kreamer	Pellett	Welden
Doyle	Kruse	Rex	Winkelman
Drake	Logemann	Sargisson	Wirtz
Dunton	Mendenhall	Scott	Wyckoff
Fischer, H. O.	Menefee	Siglin	

The nays were, 60:

Alt	Ellsworth	Kennedy	Moffitt
Bennett	Ewell	Kinley	Mollett
Blouin	Fisher, C. R.	Knoblauch	Monroe
Bray	Franklin	Knoke	Norpel
Camp	Gluba	Larson	Pelton
Clark	Hamilton	Lawson	Pierson
Cochran	Hansen	Lipsky	Priebe
Curtis	Hill	Mayberry	Radl
Dougherty	Holden	McCormick	Rodgers
Edelen	Jesse	McElroy	Roorda
Egenes	Johnston	Millen	Schmeiser

Schroeder	Skinner	Strand	Varley
Schwartz	Small	Taylor	Wells
Schwieger	Sorg	Trowbridge	Willits
Shaw	Stanley	Uban	Mr. Speaker

Absent or not voting, 1:
Goode

The motion lost and the House refused to concur in amendment 1, lines 2 through 3 of the Senate amendment.

Speaker pro tempore Millen in the chair at 11:00 a.m.

Fisher of Greene moved that House concur in amendments 2 through 8, lines 4 through 48 of the Senate amendment.

Motion prevailed and the House concurred in amendments 2 through 8, lines 4 through 48 of the Senate amendment.

Fisher of Greene moved that the House concur in subparagraphs 1 through 10 of amendment 12, lines 58 through 186 of the Senate amendment.

Motion prevailed and the House concurred in subparagraphs 1 through 10 of amendment 12, lines 58 through 186 of the Senate amendment.

Fisher of Greene moved that the House concur in subparagraph 11 of amendment 12, lines 187 through 194 of the Senate amendment.

A non-record roll call was requested.

The ayes were 10, nays 75.

Motion lost and the House refused to concur in subparagraph 11 of amendment 12, lines 187 through 194 of the Senate amendment.

Fisher of Greene moved that the House concur in subparagraphs 12 through 23 of amendment 12, lines 195 through 416 of the Senate amendment.

Motion prevailed and the House concurred in subparagraphs 12 through 23 of amendment 12, lines 195 through 416 of the Senate amendment.

Fisher of Greene moved that the House concur in subparagraph 24 of amendment 12, lines 417 through 438 of the Senate amendment.

A non-record roll call was requested.

The ayes were 21, nays 55.

Motion lost and the House refused to concur in subparagraph 24 of amendment 12, lines 417 through 438 of the Senate amendment.

Fisher of Greene moved that the House concur in subparagraph 25 of amendment 12 and amendment 13, lines 439 through 463 of the Senate amendment.

Motion prevailed and the House concurred in subparagraph 25 of amendment 12 and amendment 13, lines 439 through 463 of the Senate amendment.

Skinner of Polk offered the following amendment from the floor to amendments 9, 10 and 11, lines 49 through 57 of the Senate amendment:

Amend the Senate amendment to House File 1011 as follows:

1. By striking from lines 50 and 51 the words "*if so designated by the donor*" and inserting in lieu thereof the words "*if the gift was made prior to the effective date of this Act*".
2. By striking from lines 53 and 54 the words "*if so designated by the donor*" and inserting in lieu thereof the words "*if the gift was made prior to the effective date of this Act*".
3. By striking from lines 56 and 57 the words "*if so designated by the donor*" and inserting in lieu thereof the words "*if the gift was made prior to the effective date of this Act*".

The amendment to the Senate amendment was adopted.

Skinner of Polk moved that the House concur in amendments 9, 10 and 11, lines 49 through 57 of the Senate amendment as amended by the House.

Motion prevailed and the House concurred in amendments 9, 10 and 11, lines 49 through 57 of the Senate amendment as amended by the House.

MOTION TO RECONSIDER

We move to reconsider the vote by which the House refused to concur in subparagraph 24 of amendment 12, lines 417 through 438 of the Senate amendment to House File 1011.

KENNEDY of Chickasaw
MONROE of Des Moines

(Senate amendment to House File 1011 and the Kennedy-Monroe motion to reconsider pending at recess.)

The House was recessed until 1:15 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Harbor in the chair.

The House resumed consideration of the Senate amendment to House File 1011.

Kennedy of Chickasaw called up for consideration his motion to reconsider and moved to reconsider the vote by which the House refused to concur in subparagraph 24 of amendment 12, lines 417 through 438 of the Senate amendment.

A non-record roll call was requested.

The ayes were 39, nays 44.

The motion lost and the House refused to reconsider the vote on subparagraph 24 of amendment 12.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Miller of Marshall, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: House Files 254, 677, 695, 1014, 1015 and 1016.

ELIZABETH R. MILLER
Chairman, House Committee
JOHN C. RHODES
Chairman, Senate Committee

Report adopted.

BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House the following bills: House Files 254, 677, 695, 1014, 1015, 1016 and House Joint Resolution 2.

RESOLUTION SENT TO THE SECRETARY OF STATE

Miller of Marshall, from the committee on enrolled bills, submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has on this 8th day of February, 1972, sent to the Secretary of State for deposit: House Joint Resolution 2.

ELIZABETH R. MILLER, Chairman

Report adopted.

BILLS SENT TO THE GOVERNOR

Miller of Marshall, from the committee on enrolled bills, submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this 8th day of February, 1972, sent to the Governor for his approval: House Files 254, 677, 695, 1014, 1015 and 1016.

ELIZABETH R. MILLER, Chairman

Report adopted.

REPORTS OF COMMITTEES

Rex of Hamilton, from the committee on county government, submitted the following report:

MR. SPEAKER: Your committee on county government, to whom was referred **House File 544**, a bill for an act relating to the soldiers relief commission, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same **do pass**.

REX of Hamilton, Chairman

Also:

MR. SPEAKER: Your committee on county government, to whom was referred **Senate File 202**, a bill for an act relating to changing of names of individuals, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same **do pass**.

REX of Hamilton, Chairman

Also:

MR. SPEAKER: Your committee on county government, to whom was referred **Senate File 1023**, a bill for an act relating to county motor vehicle registration fees, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same **do pass**.

REX of Hamilton, Chairman

Fischer of Grundy, from the committee on commerce, submitted the following reports:

MR. SPEAKER: Your committee on commerce, to whom was referred **House File 235**, a bill for an act relating to rehearing and appeal procedures from Iowa state commerce commission action or decisions, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same **be amended as follows, and when so amended the bill do pass**:

Amend House File 235 as follows:

1. Page 2, by inserting before line 1, the following new sections:

"Section three hundred twenty-two A point seventeen (322A.17), Code 1971, is amended to read as follows:

322A.17 APPEAL. Any party to a hearing before the commission may take an appeal from any final order entered in such hearing in the manner provided for appeals in [section 322.10] *sections 490A.12 through 490A.19, inclusive, of the Code.*"

"Section three hundred twenty-five point twenty-one (325.21), Code 1971, is amended by striking the section and inserting in lieu thereof the following new section:

325.21 APPEAL. Appeal may be taken from the decision of the commission by the applicant or any party who appeared in opposition to the application as provided in sections four hundred ninety A point twelve (490A.12) through four hundred ninety A point nineteen (490A.19), inclusive, of the Code."

2. Page 2, line 7, by inserting after the word "necessity" the words "*and any appeal from any decision of the commission under the provisions of this chapter shall be taken as provided in sections 490A.12 through 490A.19, inclusive, of the Code*".

3. Page 2, by inserting after line 14 the following new section:

"Section four hundred seventy-nine point sixty-eight (479.68), Code 1971, is amended to read as follows:

479.68 DECISION. On such hearing, *the burden of proof shall be upon the respondent carriers.* [the] *The* commission shall establish the rates, in whole or in part, or others in lieu thereof, which it shall find to be just and reasonable. *Appeals from the decision of the commission by parties to the hearing may be taken as provided in sections 490A.12 through 490A.19, inclusive, of the Code.*"

4. Page 3, by inserting after line 2, the following new section:

"Section five hundred forty-three point ten (543.10), Code 1971, is amended to read as follows:

543.10 SUSPENSION OR REVOCATION OF LICENSE. The commission is empowered after hearing before it and upon information being filed with the commission by the duly authorized head of the warehouse division of the commission or upon complaint filed by any person to suspend or revoke the license of anyone licensed under this chapter for the violation of or failure to comply with the provisions of this chapter or any rule or regulation made in pursuance of the authority therefor granted under this chapter. An information or a verified complaint stating the grounds for suspension or revocation shall be filed with the commission in triplicate, and thereupon the commission shall serve the licensee complained against with a copy of the information or the complaint and a copy of the order of the commission fixing the time for hearing thereon, which time shall be at least twenty days from the date of service. If the commission determines that the public good requires it, it may upon the filing of the information or

the complaint and without hearing, temporarily suspend a license pending the determination by it of the complaint. Any licensee aggrieved by the decision of the commission may appeal said decision [to the district court by service of notice of appeal upon the commission within thirty days following the filing of the decision of the commission in the office of the commission. The commission shall forthwith upon service of notice of appeal certify the complete record of the proceedings before it to the office of the clerk of the district court. The appeal shall be tried by the court only upon the record so certified to the court] *as provided in sections 490A.12 through 490A.19, inclusive, of the Code.*"

5. Page 3, line 3, by striking the words "three hundred twenty-five point twenty-one".

6. Page 3, line 4, by striking the figure "(325.21)".

7. Renumber sections and correct internal references as necessary to conform to this amendment.

FISCHER of Grundy, Chairman

Also:

MR. SPEAKER: Your committee on commerce, to whom was referred **House File 1047**, a bill for an act relating to lending and investing powers of savings and loan associations, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same **do pass**.

FISHER of Grundy, Chairman

Fisher of Greene, from the committee on state government, submitted the following report:

MR. SPEAKER: Your committee on state government, to whom was referred **House File 1024**, a bill for an act relating to department of revenue enforcement officers, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same **do pass**.

FISHER of Greene, Chairman

Pelton of Clinton, from the committee on judiciary, submitted the following report:

MR. SPEAKER: Your committee on judiciary, to whom was referred **Senate File 428**, a bill for an act to provide a unified trial court having district court judges and district court magistrates; to discontinue superior, justice of the peace, and police courts; and to establish traffic violations offices within the district court to receive uniform traffic violation penalties, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same **be amended as follows, and when so amended the bill do pass**:

- 1 Amend Senate File 428 as amended, passed and
- 2 reprinted, as follows:
- 3 1. Page 1A, line 2, by adding after the word
- 4 "discontinue" the words "inferior courts;"
- 5 2. Page 1A, line 3, by striking the words "superior,

6 justice of the peace, and police courts; and”.

7 3. Page 1A, line 5, by striking the word “penalties.”
8 and inserting in lieu thereof the words “penalties;
9 and prescribing procedures for district courts.”

10 4. Page 2A, line 2, by striking the word “January”
11 and inserting in lieu thereof the word “July”.

12 5. Page 2A, by inserting after line 13 the following
13 new sections:

14 “Sec. Section six hundred four point eight
15 (604.8), subsections two (2) and three (3), Code 1971,
16 are amended to read as follows:

17 2. The number of judgeships to which each of the
18 judicial districts shall be entitled shall be determined
19 from time to time according to the following formula,
20 giving equal weight to cases filed and population:
21 [In districts containing a city of fifty thousand or
22 more population, there shall be one judgeship per five
23 hundred fifty combined civil and criminal filings and
24 forty thousand population, or major fraction of either;
25 in] *In* all [other] districts there shall be one judgeship
26 per [four] *five* hundred [fifty] combined civil [and], criminal
27 *and juvenile* filings and forty thousand population,
28 or major fraction of either[, provided, the seat of
29 government shall be entitled to one additional judge-
30 ship]. The figures on filings shall be the average for
31 the latest available previous three-year period and
32 when current census figures on population are not
33 available, figures shall be taken from the state
34 department of health computations.

35 3. A vacancy, for purposes of this section, is
36 defined as the death, retirement, removal, or failure
37 of retention in office at the judicial election, of
38 a judge *or increase in judgeships under this section.*”

39 “Sec. Section six hundred four point eight
40 (604.8), subsection six (6), Code 1971, is amended by
41 striking the subsection and inserting in lieu thereof
42 the following:

43 6. In those districts that are subdistricted, no
44 vacancy in one subdistrict shall be filled if the total
45 number of judges in the two subdistricts equals or
46 exceeds the number of judgeships to which both
47 subdistricts together are authorized.”

48 “Sec. Section six hundred four point eight
49 (604.8), subsections seven (7) and eight (8), Code 1971,
50 are amended to read as follows:

51 7. [After the number of judges in each district
52 equals the proper number of judgeships, as determined
53 under subsection 2 hereof, subsection 6 hereof shall
54 be of no further effect. Thereafter, a new judge shall
55 be appointed in any district which becomes entitled
56 to an additional judgeship, under subsection 2 hereof,
57 and vacancies] *Vacancies* shall not be filled in any
58 district which may become entitled to fewer judgeships
59 under said subsection; but no incumbent judge shall
60 ever be removed from office by reason thereof.

61 8. [On] *During* January [2] of each year, and at such
62 other times as may be appropriate, the [chief justice]
63 *supreme court administrator* shall make the determinations
64 required under this section, shall notify the
65 nominating commissions involved and the governor of
66 any appointments that may be required as a result
67 thereof."

68 "Sec. During January 1973 in computing the
69 three-year average combined filings under section six
70 hundred four point eight (604.8), subsection two (2),
71 the supreme court administrator shall add thereto class
72 'A' civil, indictable misdemeanor, and juvenile petitions
73 filed in municipal courts. Before April 1, 1973, the
74 supreme court administrator shall notify the secretary
75 of state of any additional judgeships created by this
76 Act. The secretary of state shall notify the proper
77 judicial nominating commission in accordance with chapter
78 forty-six (46) of the Code. Such commission shall
79 proceed as provided in that chapter. Effective July
80 1, 1973, a district judge shall be appointed for the
81 district pursuant to chapter forty-six (46) of the Code,
82 if the district is entitled to an additional judge under
83 the formula in section six hundred four point eight
84 (604.8), subsection two (2), of the Code."

85 6. Page 2A, lines 16 and 17, by striking the words
86 "and municipal judges".

87 7. Page 2A, line 21, by striking the words "except
88 that all entries" and inserting in lieu thereof a period.

89 8. Page 2A, by striking lines 22 through 32,
90 inclusive.

91 9. Page 3, line 13, by striking the words "provided
92 by law" and inserting in lieu thereof the words "in
93 each county, as designated by the chief judge of the
94 judicial district,".

95 10. Page 3, line 16, by adding after the word
96 "county" the words "previously designated by the chief
97 judge as a place for holding court,".

98 11. Page 3, line 19, by striking the word "The"
99 and inserting in lieu thereof the words "Before April
100 1, 1973 and before April first, of each year thereafter,
101 as provided in section of this Act, or any lesser
102 number, the".

103 12. Page 3, line 23, by adding after the word "coun-
104 ties." the following:

105 "If the district judges determine that a lesser
106 number of magistrates are needed than those provided
107 in section eight (8) of this Act, the chief judge shall
108 notify the supreme court administrator of the number
109 available for reallocation. Whereupon the supreme court
110 administrator shall reallocate that number to another
111 judicial district in accordance with section eight (8)
112 of this Act."

113 13. Page 3, line 25, by striking the words "increase
114 or".

115 14. Page 3, line 31, by striking the words "statis-

116 tician of the judicial department" and inserting in
117 lieu thereof the words "supreme court administrator".
118 15. Page 3, line 35, by striking the words "January
119 1, 1973." and inserting in lieu thereof the words "July
120 1, 1973. Thereafter, magistrates shall take office
121 on July 1 each year."

122 16. Page 4, line 9, by striking the words "Annually,
123 the chief justice of the supreme court" and inserting
124 in lieu thereof the words "Before July 1, 1973, and
125 annually thereafter, the supreme court administrator".

126 17. Page 4, line 11, by adding after the word "magis-
127 trate" the words "appointed by the district judges as
128 provided in this section prior to the time he takes
129 office".

130 18. Page 4, by inserting after line 12 the following
131 new sections:

132 "Sec. NUMBER. On January second of each year
133 the supreme court administrator shall determine the
134 total number of magistrates for the state as follows:
135 By multiplying the number of judgeships to which all
136 of the judicial districts are entitled, as provided
137 by section six hundred four point eight (604.8), by
138 one and one-fourth and by adding the number of judicial
139 districts within the state."

140 "Sec. ALLOTMENT. Each judicial district shall
141 be allotted the number of magistrates as determined
142 by multiplying the number of judgeships to which it
143 is entitled, as provided by section six hundred four
144 point eight (604.8), by one and one-fourth."

145 19. Page 4, lines 16 and 17, by striking the words
146 "shall be admitted to the practice of law in Iowa or".

147 20. Page 4, lines 18 and 19, by striking the words
148 "chief justice of the".

149 21. Page 4, line 19, by adding after the word "court"
150 the word "administrator".

151 22. Page 4, by adding after line 19 the following
152 new section:

153 "Sec. PROHIBITIONS. No magistrate shall accept
154 any fee or reward from or on behalf of anyone for
155 services rendered in the conduct of any official business
156 except as provided in this Act.

157 A magistrate or any member of any corporation,
158 partnership, firm or association with which he may be
159 connected, may not be directly or indirectly engaged
160 in any capacity for any party in any action or proceeding
161 pending or arising within his jurisdiction based upon
162 substantially the same facts upon which a prosecution
163 or proceeding has been prosecuted or commenced before
164 him."

165 23. Page 4, lines 21 and 22, by striking the words
166 "monthly from the general or court fund of the county
167 or counties regularly served by him" and inserting in
168 lieu thereof the words "fund of the state".

169 24. Page 4, lines 27 and 28, by striking the words
170 "proper county auditor" and inserting in lieu thereof

171 the words "state comptroller".

172 25. Page 4, by striking lines 29 through 35,
173 inclusive.

174 26. Page 5, by striking lines 1 through 9, inclusive,
175 and inserting in lieu thereof the following:

176 "No district magistrate shall receive an annual
177 salary in excess of eighty percent of the salary of
178 a district judge. However, the average salaries for
179 all magistrates within a judicial district shall not
180 exceed fifty percent of the salary of a district judge."

181 27. Page 5, line 13, by adding after the word "pro-
182 ceedings" the words "forcible entry and detainer
183 actions,".

184 28. Page 5, by striking lines 19, 20, and 21 and
185 inserting in lieu thereof the following:

186 "shall hold court at the places designated by the
187 district judges appointing him. In the designation
188 of the places where the magistrate shall hold court,
189 the district judges shall insure that a magistrate shall
190 hold court in each county at least two days each week.
191 The boards of supervisors shall provide facilities for
192 the holding of court at the county seats. If court
193 is held in a city or town".

194 29. Page 5, line 23, by striking the words "and
195 a bailiff".

196 30. Page 5, by adding after line 24 the follow-
197 ing:

198 "The schedule of places and times of availability
199 of magistration and of any changes therein shall be
200 disseminated by the chief judge of the judicial district
201 to the peace officers within the district."

202 31. Page 5, by striking lines 32 through 35,
203 inclusive, and inserting in lieu thereof the following:

204 "magistrates shall be provided as in sections,
205, and of this Act and chapter six hundred
206 forty-eight of the Code."

207 32. Page 6, line 9, by striking the words "judgment,
208 including costs" and inserting the words "judgment
209 including costs,".

210 33. Page 6, line 20, by striking the words "APPEALS.
211 Appeals" and inserting in lieu thereof the words "CIVIL
212 APPEALS. Civil appeals".

213 34. Page 6, line 24, by striking the words "In civil
214 cases an" and inserting in lieu thereof the word "An".

215 35. Page 6, by striking line 25.

216 36. Page 6, line 26, by striking the words "In civil
217 cases the" and inserting in lieu thereof the word "The".

218 37. Page 6, line 28, by striking the words "In
219 criminal".

220 38. Page 6, by striking lines 29 through 31, inclu-
221 sive.

222 39. Page 6, line 32, by striking the words "delivered
223 to the clerk. In civil cases, within" and inserting
224 in lieu thereof the word "Within".

225 40. Page 6, line 35, by adding after the word "clerk"
226 the words "as part of the record".

227 41. Page 7, by striking lines 1 through 35,
228 inclusive, and inserting in lieu thereof the following:
229 "any, and in the event the report was made electron-
230 ically, the tape or other medium on which the proceedings
231 were preserved. A district judge shall promptly hear
232 the appeal upon the record thus filed without further
233 evidence; and the judge shall decide the appeal without
234 regard to technicalities or defects which have not
235 prejudiced the substantial rights of the parties, and
236 may affirm, reverse, or modify the judgment or render
237 judgment as the magistrate should have rendered. Execu-
238 tion of a judgment of a district magistrate shall be
239 stayed upon the filing with the clerk of the district
240 court an appeal bond with surety approved by the clerk,
241 in the sum specified in the judgment."

242 "Sec. DISCRETIONARY REVIEW BY SUPREME COURT.

243 1. No judgment of conviction of nonindictable
244 misdemeanor or civil action over which a district court
245 magistrate has jurisdiction shall be appealed to the
246 supreme court except by discretionary review as provided
247 herein.

248 2. 'Discretionary review' is the process by which
249 the supreme court may exercise its discretion, in like
250 manner as under the rules pertaining to interlocutory
251 appeals and certiorari in civil cases, to review
252 specified matters not subject to appeal as a matter
253 of right. The supreme court may adopt additional rules
254 to control access to discretionary review.

255 3. The party seeking review shall be known as the
256 appellant and the adverse party as the appellee, but
257 the title of the action shall not be changed from that
258 in the court below.

259 4. When defendants are tried jointly, they may seek
260 discretionary review or may appeal separately or they
261 may join. The supreme court may, in the interest of
262 justice, consolidate appeals or applications for discre-
263 tionary review.

264 5. A petition for review shall be filed in writing
265 with the clerk of the court within ten days after judg-
266 ment.

267 6. When an application is made for discretionary
268 review, it is the duty of the applicant to serve on
269 the attorney for the adverse party, and if the state
270 is the adverse party, upon the attorney general, a copy
271 of the application within ten days after judgment.

272 7. When an application for discretionary review
273 is filed, the clerk of the court in which the judgment
274 or order was rendered shall:

275 a. Immediately prepare and transmit to the adverse
276 party and his attorney of record a true copy of the
277 application, together with the date of filing.

278 b. Immediately prepare and transmit to the clerk
279 of the supreme court a transcript of all record entries

280 relevant to the application, together with copies of
281 all papers in the case on file in his office, a
282 transcript of the official report, if any, and in the
283 event the report was made electronically, the tape or
284 other medium on which the proceedings were preserved,
285 all duly certified under seal of his court.

286 Failure of the clerk of the district court to transmit
287 all the papers as required by this subsection shall
288 not prejudice the rights of the parties.

289 8. The record and case shall be presented to the
290 supreme court as provided by its rules; and the
291 provisions of law in civil procedure relating to the
292 filing of decisions and opinions of the supreme court
293 shall apply in such cases.

294 9. An application shall not be dismissed for an
295 informality or defect in taking it if corrected as
296 directed by the supreme court. The supreme court, after
297 an examination of the entire record, may dispose of
298 the case by affirmation, reversal or modification of
299 the lower court judgment. It may also dismiss the
300 application if it (a) determines that there has been
301 no substantial miscarriage of justice, and (b) no
302 violation of the rights of an accused, and that (c)
303 the arguments do not present definite grounds for a
304 hearing. The supreme court may also order a new trial,
305 or modify the judgment; provided, however, in criminal
306 cases the punishment may not be increased.

307 10. In all criminal actions:

308 a. When an application is made by the state or the
309 defendant the county attorney shall promptly prepare
310 and deliver to the attorney general so much of the
311 proceedings as are material to the proper disposition
312 of the matter.

313 b. When an application has been filed by an adverse
314 party, the county attorney shall immediately furnish
315 the attorney general with a copy of said application.

316 c. An application for discretionary review by the
317 state does not stay the operation of a judgment in favor
318 of the defendant.

319 d. An application for discretionary review taken
320 by the defendant does not stay the execution of the
321 judgment unless the defendant is released on bail or
322 otherwise as provided by law.

323 e. The personal appearance of the defendant in the
324 supreme court upon the hearing of a matter of
325 discretionary review, is in no case necessary.

326 f. If a judgment against the defendant is reversed,
327 such reversal shall be deemed an order for a new trial,
328 unless the supreme court shall direct a different
329 disposition. In reversing the case, the supreme court
330 may direct that the defendant be discharged and his
331 bail exonerated, or if money is deposited instead, that
332 it be returned to him.

333 g. On a judgment of affirmance against the defendant,
334 the original judgment shall be carried into execution

335 as the supreme court shall direct.

336 h. Unless some proceeding in the district court
337 is directed, a copy of the judgment of the trial court
338 and decision on review, or of the judgment and decision
339 on review certified by the clerk of the trial court
340 shall be delivered to the sheriff or proper officer
341 as an execution. He shall be authorized to execute
342 the judgment of the court, or take any legal measures
343 required to bring the action to a conclusion.

344 i. A defendant, imprisoned during the pendency of
345 an unsuccessful review, or convicted at a new trial
346 ordered by the supreme court, shall have the period
347 of his former imprisonment deducted from the period
348 of imprisonment fixed on the last verdict of conviction
349 by the district court.

350 11. The decision of the supreme court with any
351 opinion filed or judgment rendered must be recorded
352 by its clerk. After the expiration of the period allowed
353 for a rehearing, or as ordered by the court or provided
354 by its rules, a certified copy of the decision and
355 opinion shall be transmitted to the clerk of the trial
356 court, filed and entered of record by him.

357 12. The jurisdiction of the supreme court shall
358 cease after the certified copy of the decision and
359 opinion is transmitted to the clerk of the trial court.
360 All proceedings for executing the judgment shall be
361 had in the trial court or by its clerk."

362 "Sec. FUNDS, REPORTS. Each month each district
363 magistrate shall file with the clerk of the district
364 court of the proper county a sworn, itemized statement,
365 by case, of all funds received and disbursed, and at
366 least monthly shall remit to the clerk all funds received
367 by him. The clerk shall remit all fines and forfeited
368 bail received from a magistrate to the city or town
369 that was the plaintiff in any action. The clerk shall
370 remit to the treasurer of the county, for the benefit
371 of the school fund, all other fines and forfeited bail
372 received from a magistrate. All fees and costs received
373 from a magistrate shall be remitted monthly by the clerk
374 as follows:

375 1. Three-fifths to the state treasurer to be credited
376 to the general fund of the state.

377 2. Two-fifths to the county treasurer to be credited
378 to the court fund of the county."

379 "Sec. MAGISTRATES NOT HOLDING OFFICE. When
380 a district magistrate ceases to hold office, his docket
381 and all records relating to his office shall be promptly
382 deposited with the clerk of the district court who
383 issued the docket."

384 "Sec. COURTS ABOLISHED, TRANSITION. All mayor's
385 courts, justice of the peace courts, police courts,
386 superior courts, and municipal courts and offices
387 connected therewith, are abolished as of July 1, 1973.
388 Promptly after July 1, 1973, the officials of these
389 courts shall file all documents and books pertaining

390 to their offices with the clerk of the district court
391 of their counties. District judges shall assign to
392 district magistrates the pending cases within district
393 magistrates' jurisdiction, and such cases shall then
394 be pending before those district magistrates. All other
395 pending cases shall be pending in the district court
396 of the county, and the clerk of that court shall within
397 thirty days give written notice of that fact by ordinary
398 mail to the parties or their attorneys of record at
399 their last known addresses. All municipal court judges,
400 clerks of the municipal court, bailiffs of municipal
401 court, police court judges, justices of the peace and
402 constables holding office on July 1, 1972 shall continue
403 in office through June 30, 1973. The clerk of the
404 district court and the sheriff of the county in hiring
405 additional deputies made necessary as a result of this
406 Act shall give preference to the elective clerks and
407 elective bailiffs of municipal courts and their
408 respective deputies and employees who are in office
409 on December 31, 1972."

410 "Sec. Notwithstanding the provisions of sec-
411 tions six hundred five A point six (605A.6) and six
412 hundred five A point eight (605A.8) of the Code, a judge
413 of a municipal court who would have completed an aggre-
414 gate of six years of service but for the provisions
415 of this Act, and shall have attained the age of sixty-
416 five years, and who shall have otherwise qualified as
417 provided in chapter six hundred five A (605A) of the
418 Code, shall be entitled to an annuity in accordance
419 with section six hundred five A point six (605A.6) of
420 the Code."

421 42. Page 8, by striking lines 1 through 16,
422 inclusive.

423 43. Page 9, by striking lines 1 through 18,
424 inclusive, and inserting in lieu thereof the following:

425 "POLICE CITATIONS"

426 "Sec. CONDITIONS. Whenever it would be lawful
427 for a peace officer to arrest a person without a warrant,
428 he may issue a citation instead of making the arrest
429 and taking the person before a magistrate."

430 "Sec. FORM. The citation shall include the
431 name and address of the person, the nature of the
432 offense, the time and place at which the person is to
433 appear in court, and the penalty for nonappearance."

434 "Sec. PROCEDURE. Before he is released, the
435 cited person shall sign the citation as a written promise
436 to appear in court at the time and place specified.

437 A copy of the citation shall be given to the person."

438 "Sec. COMPLAINT. The law enforcement officer
439 issuing the citation shall cause to be filed a complaint
440 in the court in which the cited person is required to
441 appear, as soon as practicable, charging the crime
442 stated in said notice."

443 "Sec. UNIFORM CITATION AND COMPLAINT. The
444 commissioner of public safety shall adopt a uniform,

445 combined traffic citation and complaint, which shall
446 be used for charging all traffic violations in Iowa
447 under state law or municipal ordinance, unless the
448 defendant is charged by information or section twenty-
449 five (25) of this Act is applicable. Each citation
450 and complaint shall be serially numbered and shall be
451 in quadruplicate, and the officer shall deliver the
452 original and a copy to the court where the defendant
453 is to appear, a copy to the defendant, and a copy to
454 the law enforcement agency of the officer. The citation
455 and complaint shall contain, among other things, spaces
456 for the parties' names and for the information required
457 by section three hundred twenty-one point four hundred
458 eighty-five (321.485), subsection two (2), of the Code;
459 a place where the defendant may sign the promise to
460 appear referred to in section three hundred twenty-one
461 point four hundred (321.400)."

462 44. Page 10A, lines 6 and 10, by striking the word
463 "summons" and inserting in lieu thereof the words
464 "citation and complaint".

465 45. Page 10A, by striking lines 15 through 25,
466 inclusive, and inserting in lieu thereof the words "of
467 the district court. Additional traffic violations".

468 46. Page 11, lines 13, 14, 15, 18, and 30, by
469 striking the word "summons" and inserting in lieu thereof
470 the words "citation and complaint".

471 47. Page 11, by adding after line 9:

472 "Violations of the schedule of axle and tandem axle
473 and gross or group of axle weight violations in section
474 three hundred twenty-one point four hundred sixty-three
475 (321.463) of the Code, shall be scheduled violations
476 subject to the provisions, procedures, and exceptions
477 contained in sections twenty-five (25), twenty-six (26),
478 twenty-eight (28), twenty-nine (29), thirty (30) and
479 thirty-one (31) of this Act, irrespective of the amount
480 of the fine under such schedule. Violations of the
481 schedule of weight violations shall be chargeable, where
482 the fine charged does not exceed one hundred dollars,
483 only by uniform citation and complaint. Violations
484 of the schedule of weight violations, where the fine
485 charged exceeds one hundred dollars: (1) shall, when
486 the violation is admitted and section three (3) of this
487 Act applies, be chargeable upon uniform citation and
488 complaint, indictment, or county attorney's information,
489 (2) but otherwise, shall be chargeable only upon
490 indictment or county attorney's information. In all
491 cases of charges under the schedule of weight violations,
492 the charge shall specify the amount of fine charged
493 under the schedule. Where a defendant is convicted
494 and the fine under the foregoing schedule of weight
495 violations exceeds one hundred dollars, the conviction
496 shall be of an indictable offense although section three
497 (3) of this Act is employed and whether the violation
498 is charged upon uniform citation and complaint,
499 indictment, or county attorney's information."

- 500 48. Page 11, line 16, by striking the word "four"
501 and inserting in lieu thereof the word "five".
- 502 49. Page 11, line 28, by striking the word "four"
503 and inserting in lieu thereof the word "five".
- 504 50. Page 12, line 5, by striking the word "summons"
505 and inserting in lieu thereof the words "citation and
506 complaint".
- 507 51. Page 12, by adding after line 7 the following:
508 "The officer may allow the defendant to mail a check
509 in the proper amount in lieu of cash. If the check
510 is not paid by the drawee for any reason, the defendant
511 may be held in contempt of court. The officer shall
512 advise the defendant of the penalty for nonpayment of
513 the check."
- 514 52. Page 12, line 18, by striking the words "summons
515 and complaint" and inserting in lieu thereof the words
516 "citation and complaint".
- 517 53. Page 12, lines 5, 11, and 20, by striking the
518 word "four" and inserting in lieu thereof the word
519 "five".
- 520 54. Page 13, lines 21 and 22, by striking the word
521 "summons" and inserting in lieu thereof the words
522 "citation and complaint".
- 523 55. Page 12, line 31, by adding after the word
524 "suspension" the words "of the fine".
- 525 56. Page 13, line 5, by striking the words "but
526 with regular" and inserting in lieu thereof the words
527 "with five dollars".
- 528 57. Page 13, line 30, by adding after the word
529 "suspension" the words "of the fine".
- 530 58. Page 13, line 31, by striking the word "regular"
531 and inserting in lieu thereof the words "five dollars".
- 532 59. Page 14, by striking lines 1 through 6, inclu-
533 sive, and inserting in lieu thereof the following:
534 "forfeiture of bail, fees, and costs collected for
535 all traffic violations shall be remitted in accordance
536 with section fifteen (15) of this Act."
- 537 60. Page 14, line 32, by striking the word "January"
538 and inserting in lieu thereof the word "July".
- 539 61. Page 15A, by striking lines 9 through 12, inclu-
540 sive, and inserting in lieu thereof the following:
541 "for money damages where the amount in controversy
542 in money is five hundred dollars or less, exclusive
543 of interest and costs, and actions for forcible entry
544 and detainer. Small claims shall be commenced, heard,
545 and determined in accordance with section twenty-seven
546 (27)".
- 547 62. Page 15A, line 16, by adding after the word
548 "dismissed" the words "by the clerk".
- 549 63. Page 17, line 16, by adding after the period
550 the following:
551 "Before filing an original notice, the clerk shall
552 receive a filing fee of one dollar plus the amount of
553 postage for mailing the original notice to each defen-
554 dant to which it is to be mailed."

- 555 64. Page 17, line 29, by adding after the word
 556 "court." the following:
 557 "All fees and costs collected for small claims shall
 558 be remitted to county treasurers as provided in section
 559 six hundred six point sixteen (606.16) of the Code.
 560 65. Page 20, lines 9, 10, 12, 15 and 26, by striking
 561 the word "court" and inserting in lieu thereof the words
 562 "district magistrate".
 563 66. Page 21, line 14, by striking the word "supreme,"
 564 and inserting in lieu thereof the words "supreme[,] and".
 565 67. Page 21, line 15, by striking the word
 566 "district," and inserting in lieu thereof the words
 567 "district courts,".
 568 68. Page 21, line 15, by striking the words "and
 569 municipal courts" and inserting in lieu thereof the
 570 words "[and municipal courts]".
 571 69. Page 21, by striking lines 20 and 21 and
 572 inserting in lieu thereof the words "5. To each judge
 573 of the supreme and district[, superior and municipal]
 574 courts and district court magistrates . . . 1 copy".
 575 70. Page 21, lines 25 and 26, by striking the words
 576 "to the clerk of each [superior or] municipal court
 577 in the state" and inserting in lieu thereof the words
 578 "[to the clerk of each superior or municipal court in
 579 the state]".
 580 71. Page 21, lines 27 and 28, by striking the words
 581 "or municipal court" and inserting in lieu thereof the
 582 words "[or municipal court] at the county seat".
 583 72. Page 22, by striking line 2 and inserting in
 584 lieu thereof the following:
 585 "supreme[,] and district[, superior, and municipal]
 586 courts, and of the".
 587 73. Page 22, by striking line 6 and inserting in
 588 lieu thereof the following:
 589 "supreme[,] and district[, superior and municipal] courts
 590 of this".
 591 74. Page 22, line 8, by adding after the word "dis-
 592 trict[,]" the words "at the county seat".
 593 75. Page 22, line 9, by striking the words "and
 594 municipal courts" and inserting in lieu thereof the
 595 words "[and municipal courts]".
 596 76. Page 22, line 12, by striking the figure "1971"
 597 and inserting in lieu thereof the figure "1972".
 598 77. Page 24, by adding after line 24 the following
 599 new section:
 600 "Sec. Section sixty-four point six (64.6),
 601 Code 1971, is amended by adding the following new
 602 subsection:
 603 'District court magistrates, five thousand dollars.'"
 604 78. Page 25, line 30, by striking the word "supreme,"
 605 and inserting in lieu thereof the words "supreme[,] and".
 606 79. Page 25, line 31, by striking the words "and
 607 municipal courts." and inserting in lieu thereof the
 608 words "[and municipal] courts, and district court

609 *magistrates.*"

610 80. Page 25, line 33, by striking the words "and
611 municipal" and inserting in lieu thereof the words "[and
612 municipal]".

613 81. Page 26, line 1, by striking the word "supreme,"
614 and inserting in lieu thereof the word "supreme[,] and".

615 82. Page 26, by striking line 2 and inserting in
616 lieu thereof the words "district[, superior, police and
617 municipal] courts."

618 83. Page 27, line 23, by striking the words "or
619 municipal" and inserting in lieu thereof the words "[or
620 municipal]".

621 84. Page 30, line 21, by striking the words "or
622 municipal" and inserting in lieu thereof the words "[or
623 municipal]".

624 85. Page 31, line 5, by striking the words "or
625 municipal" and inserting in lieu thereof the words "[or
626 municipal]".

627 86. Page 35A, by striking lines 5 through 11, inclu-
628 sive, and inserting in lieu thereof the following new
629 section:

630 "Sec. Section two hundred thirty-one point
631 one (231.1), Code 1971, is amended to read as follows:

632 231.1 JURISDICTION. There is hereby established
633 in each county a juvenile court *within the district*
634 *court*, which, and the judges thereof, shall have and
635 exercise the jurisdiction and powers provided by law."

636 87. Page 35A, by striking lines 15 through 25,
637 inclusive, and inserting in lieu thereof the following:

638 "The judges of the district court may designate one
639 of their number to act as judge of the juvenile court
640 in any county or counties[, and may designate a superior
641 or municipal court judge to act as judge of the juvenile
642 court in cases arising in any city in which any such
643 court is organized and in cases arising in any part
644 of any county convenient thereto. In counties having
645 a population of one hundred thousand or over, unless
646 said district judges designate a superior or municipal
647 court judge to act as juvenile judge, they shall after
648 each election, designate one of their number to act
649 as juvenile judge for the ensuing four years.]"

650 88. Page 35A, by striking line 26 and inserting
651 in lieu thereof the following:

652 "This section shall take effect July 1, 1973."

653 89. Page 36, by striking line 7 and inserting in
654 lieu thereof the following:

655 "of the supreme[,] and district[, superior and municipal]
656 courts".

657 90. Page 36, by striking lines 14 and 15 and insert-
658 ing in lieu thereof the following:

659 "All jurors' fees, jurors' meals, and witness fees
660 paid by the county in all criminal cases before a
661 district magistrate."

662 91. Page 39, by striking lines 1 through 32, inclu-

663 sive.

664 92. Page 40, line 2, by striking the word "summons"
665 and inserting in lieu thereof the words "[summons]
666 citation".

667 93. Page 40, line 5, by striking the word "summoned"
668 and inserting in lieu thereof the words "[summoned] *cited*".

669 94. Page 40, lines 11, 12, and 13, by striking the
670 words "[magistrate or judge of a court not of record
671 and every] district magistrate and clerk of a" and
672 inserting in lieu thereof the words "[magistrate or
673 judge of a court not of record and every clerk of a]".

674 95. Page 40, line 13, by striking the words "of
675 record" and inserting in lieu thereof the words "[of
676 record]".

677 96. Page 42A, line 4, by striking the words "municipal
678 judges,".

679 97. Page 43, line 6, by striking the word "—MAGIS-
680 TRATE" and inserting in lieu thereof the word "[—MAGIS-
681 TRATE]".

682 98. Page 44, lines 22 and 23, by striking the words
683 "attend upon the sittings of the mayor's and police
684 court, and" and inserting in lieu thereof the words
685 "[attend upon the sittings of the mayor's and police
686 court, and]".

687 99. Page 44, line 28, by striking the words "as
688 follows:" and inserting in lieu thereof the words "by
689 striking the subsection."

690 100. Page 44, by striking lines 29 through 35,
691 inclusive.

692 101. Page 45, by striking lines 1 through 9, inclu-
693 sive.

694 102. Page 45, line 25, by striking the words "or
695 municipal" and inserting in lieu thereof the words "[or
696 municipal]".

697 103. Page 47, line 26, by striking the words "OR
698 CONSTABLE" and inserting in lieu thereof the words "[OR
699 CONSTABLE]".

700 104. Page 50, line 18, by striking the words "court,
701 a municipal" and inserting in lieu thereof the word
702 "court".

703 105. Page 50, line 19, by striking the word "judge,".

704 106. Page 50, by striking lines 20 through 25,
705 inclusive, and inserting in lieu thereof the following
706 new section:

707 "Sec. Section six hundred point one (600.1),
708 unnumbered paragraph one (1), Code 1971, is amended
709 as follows:

710 Any person of lawful age may petition the district
711 court of the county in which he or the child resides
712 for permission to adopt any child not his own, but no
713 person other than the parent of a child may assume the
714 permanent care and custody of a child under fourteen
715 years of age except in accordance with the provisions
716 of this chapter or chapter 238. If the petitioner be
717 married, the spouse shall join in the petition unless

718 such spouse is a natural parent of the child. An adult
 719 may be adopted, and only such provisions of this chapter
 720 shall apply thereto as the court may order. [The judges
 721 of the district court may designate a municipal court
 722 judge to act as judge in adoption matters with
 723 jurisdiction in cases arising in the county in which
 724 such municipal court is organized.]”

725 107. Page 51, by striking lines 1 through 35, inclu-
 726 sive.

727 108. Page 52, by striking lines 1 through 35, inclu-
 728 sive.

729 109. Page 53A, by striking lines 1 through 11,
 730 inclusive.

731 110. Page 53A, line 13, by striking the figure
 732 “1971” and inserting in lieu thereof the figure “1972”.

733 111. Page 53B, line 37, by striking the figure
 734 “1971” and inserting in lieu thereof the figure “1972”.

735 112. Page 54, line 6 and 7, by striking the words
 736 “not to exceed the sum of fifteen dollars per day” and
 737 inserting in lieu thereof the words “[not to exceed the
 738 sum of fifteen dollars per day]”.

739 113. Page 56, line 7, by striking the words “or
 740 municipal court” and inserting in lieu thereof the words
 741 “[or municipal court]”.

742 114. Page 57, line 8, by adding after the word
 743 “clerk” the words “*or magistrate*”.

744 115. Page 59, line 12, by striking the word “muni-
 745 cipal,” and inserting in lieu thereof the word
 746 “[municipal,]”.

747 116. Page 59, by striking lines 31 through 35,
 748 inclusive.

749 117. Page 60, by striking lines 1 through 5, inclu-
 750 sive, and inserting in lieu thereof the following:

751 639.11 BOND. In all cases before it can be issued,
 752 the plaintiff must file with the clerk a bond for the
 753 use of the defendant, with sureties to be approved by
 754 such clerk, in a penalty at least double the value of
 755 the property sought to be attached, and in no case[,
 756 except in a class B case in municipal court,] less than
 757 two hundred fifty dollars [in a court of record, on
 758 less than fifty dollars if in a justice court or a class
 759 B case in municipal court,] conditioned that the plain-
 760 tiff will pay all damages which the defendant may sustain
 761 by reason of the wrongful suing out of the attachment.

762 118. Page 61, line 21, by striking the words “judge,
 763 municipal judge,” and inserting in lieu thereof the
 764 word “*judge*”.

765 119. Page 61, line 21, by striking the words “judge,
 766 municipal judge,” and inserting in lieu thereof the
 767 words “*judge*”.

768 120. Page 63, line 3, by striking the words “or
 769 municipal judge”.

770 121. Page 63, by striking lines 27 through 35,
 771 inclusive.

772 122. Page 64A, by striking lines 1 through 13,

- 773 inclusive, and inserting in lieu thereof the following:
 774 648.5 JURISDICTION—TRANSFER—APPEAL. [The district,
 775 municipal, and superior courts within the county, and
 776 justices of the peace within the township where the
 777 subject matter of the action is situated,] *The district*
 778 *court within the county* shall have concurrent jurisdic-
 779 tion of actions for the forcible entry or detention
 780 of real property, and the court first acquiring jurisdic-
 781 tion of an action therefor shall retain the same until
 782 judgment, unless it is transferred as hereinafter pro-
 783 vided. Where an action is brought in the district[,
 784 superior, or municipal] court it shall be tried as an
 785 equitable action, and upon presentation of the petition
 786 to the [court or] *district judge or district court*
 787 *magistrate* after the same has been filed, the court
 788 [or judge] shall make an order fixing the time and place
 789 for hearing upon said petition and shall prescribe that
 790 notice of the hearing be personally served upon the
 791 defendant or defendants, which service shall be at least
 792 five days prior to the date set for hearing. [By
 793 agreement of the parties, it may be transferred from
 794 a justice's court to a municipal, superior, or the
 795 district court, or from a superior or a municipal to
 796 the district court, and all such actions in which
 797 judgment is rendered in a justice's court may be appealed
 798 to the district or superior court, as provided by law.]
 799 123. Page 64A, by striking lines 25 through 28,
 800 inclusive, and inserting in lieu thereof the following:
 801 648.13 TITLE IN ISSUE. The question of title can
 802 only be investigated in the district court[, and can
 803 be pleaded in a municipal court or a justice's court
 804 only as provided in subsection 4 of section 648.1].
 805 124. Page 64A, by striking lines 31 through 35,
 806 inclusive.
 807 125. Page 64B, by striking lines 36 through 39,
 808 inclusive.
 809 126. Page 65, line 15, by striking the words
 810 "supreme, district, or municipal" and inserting in lieu
 811 thereof the words "supreme[,] or district[, or municipal]".
 812 127. Page 65, line 27, by striking the words "and
 813 municipal," and inserting in lieu thereof the word
 814 "[municipal,]".
 815 128. Page 65, line 28, by striking the word "courts"
 816 and inserting in lieu thereof the word "*court*".
 817 129. Page 67, line 9, by striking the word "statistic-
 818 tician" and inserting in lieu thereof the words
 819 "[statistician] *court administrator*".
 820 130. Page 67, line 20, by striking the words "and
 821 municipal" and inserting in lieu thereof the words "[and
 822 municipal]".
 823 131. Page 67, line 24, by striking the word "muni-
 824 pal" and inserting in lieu thereof the word "[municipal]".
 825 132. Page 67, line 25, by striking the word "or"
 826 and inserting in lieu thereof the word "[or]".
 827 133. Page 67, by striking lines 27 through 35,

- 828 inclusive.
- 829 134. Page 68, by striking lines 1 through 8, inclu-
830 sive.
- 831 135. Page 70, line 23, by adding after the word
832 "judge," the words "*district magistrate*".
- 833 136. Page 71, line 1, by striking the words "*court,*
834 *municipal*" and inserting in lieu thereof the word
835 "*court*".
- 836 137. Page 71, line 2, by striking the word "*judge*".
- 837 138. Page 71, line 13, by striking the words "*and*
838 *district magistrates*".
- 839 139. Page 71, lines 32 and 33, by striking the words
840 "*and all municipal judges*".
- 841 140. Page 72, by adding after line 17 the following:
842 "*This section shall not apply to the uniform traffic*
843 *citations and complaints under section of*
844 *this Act.*"
- 845 141. Page 72, line 27, by adding after the word
846 "*information*" the words "*or complaint*".
- 847 142. Page 75, by striking lines 24 through 31,
848 inclusive, and inserting in lieu thereof the following
849 new section:
850 "Sec. Section seven hundred sixty-two point
851 two (762.2), Code 1971, is amended to read as follows:
852 762.2 INFORMATION. Criminal actions for the commis-
853 sion of a public offense must be commenced before a
854 [justice of the peace] *district magistrate* by an
855 information, subscribed and sworn to, and filed with
856 the [justice] *district magistrate or complaint for a*
857 *scheduled traffic violation.*"
- 858 143. Page 76, line 34, by striking the words "a
859 municipal judge or".
- 860 144. Page 76, by adding after line 35 the following
861 new sections:
862 "Sec. Section seven hundred sixty-two point
863 fifteen (762.15), Code 1971, is amended by striking
864 the section and inserting in lieu thereof the following:
865 762.15 JURY TRIAL. Either party in a criminal
866 action shall be entitled to jury trial by filing with
867 the district magistrate a written jury demand within
868 ten days after the information is filed, or at least
869 two days before the trial if the action is tried before
870 ten days elapses. Failure to make a jury demand in
871 the manner prescribed herein constitutes a waiver of
872 jury. If demand is made, the action shall be tried
873 by a jury of six members."
- 874 "Sec. Section seven hundred sixty-two point
875 sixteen (762.16), Code 1971, is amended by striking
876 the section and inserting in lieu thereof the following:
877 762.16 If trial by jury is demanded, the district
878 magistrate shall notify the sheriff who shall furnish
879 a bailiff at that time and place to act as officer of
880 the court."
- 881 "Sec. Section seven hundred sixty-two point
882 seventeen (762.17), Code 1971, is amended by striking

883 the section and inserting in lieu thereof the following:
 884 762.17 If a trial by jury is demanded, the district
 885 magistrate shall notify the clerk of the time and place
 886 of trial. The clerk shall thereupon select by lot
 887 eighteen names from the district court jury panel
 888 selected pursuant to section six hundred nine point
 889 nineteen (609.19). The clerk shall notify the jurors
 890 of the time and place for trial."

891 "Sec. Section seven hundred sixty-two point
 892 eighteen (762.18), Code 1971, is amended by striking
 893 the section and inserting in lieu thereof the following:
 894 762.18 CHALLENGES. The same challenges may be taken
 895 by either party to any individual juror as on the trial
 896 of an indictment for a misdemeanor, but no challenge
 897 to the panel is allowed."

898 "Sec. Section seven hundred sixty-two point
 899 nineteen (762.19), Code 1971, is amended by striking
 900 the section and inserting in lieu thereof the following:

901 762.19 Sections seven hundred seventy-nine point
 902 four (779.4) through seven hundred seventy-nine point
 903 sixteen (779.16), inclusive, of the Code, relating to
 904 trial juries, shall apply to trials by jury in front
 905 of a district magistrate."

906 "Sec. Section seven hundred sixty-two point
 907 twenty (762.20), Code 1971, is amended by striking the
 908 section and inserting in lieu thereof the following:

909 762.20 If for any reason the district court magis-
 910 trates panel as chosen by the clerk becomes insufficient
 911 to obtain a jury, he may direct the officer of the court
 912 to summon any bystander or others who may be competent,
 913 and against whom no sufficient cause of challenge
 914 appears, to act as jurors."

915 "Sec. Section seven hundred sixty-two point
 916 twenty-seven (762.27), Code 1971, is amended to read
 917 as follows:

918 762.27 RETIREMENT FOR CONSIDERATION—OATH. If they

919 do not immediately agree, they must retire with the
 920 officer, who shall take the following oath: 'You do
 921 swear that you will keep the jury together in some pri-
 922 vate and convenient place[, without food or drink, water
 923 excepted, unless otherwise ordered by the court]; that
 924 you will not permit any person to speak to them, nor
 925 speak to them yourself, unless it be to ask them if
 926 they have agreed upon a verdict, and that you will
 927 return them into court when they have so agreed.'"

928 145. Page 78, by adding after line 5 the following
 929 new sections:

930 "Sec. Section seven hundred sixty-two point
 931 forty-three (762.43), Code 1971, is amended by striking
 932 the section and inserting in lieu thereof the following:

933 762.43 APPEAL. An appeal may only be taken by the
 934 defendant and only upon a judgment of conviction.
 935 Execution of a judgment of a district magistrate shall

936 be stayed upon the filing with the clerk of the district
937 court an appeal bond with surety approved by the clerk,
938 in the sum specified in the judgment. The defendant
939 may take an appeal, by giving notice orally to the
940 magistrate that he appeals, or by delivering to the
941 magistrate not later than ten days thereafter, a written
942 notice of his appeal, and in either case the magistrate
943 must make an entry on its docket of the giving of such
944 notice. Payment of fine or service of a sentence of
945 imprisonment does not waive the right to appeal, nor
946 render the appeal moot. When an appeal is taken, the
947 magistrate shall forward to the appropriate district
948 court clerk a copy of the docket entries in his court,
949 together with copies of the complaint, warrant, motions,
950 pleadings or other papers in the case. A district judge
951 shall promptly hear the appeal upon the record thus
952 filed without further evidence. The judge shall decide
953 the appeal without regard to technicalities or defects.
954 Judgment shall be rendered as though the case were being
955 originally tried."

956 "Sec. Section seven hundred sixty-two point
957 forty-four (762.44), Code 1971, is amended by striking
958 the section and inserting in lieu thereof the following:
959 762.44 No judgment of conviction of a district court
960 judge shall be appealed to the supreme court except
961 by discretionary review as provided in sections
962 and ... of this Act."

963 146. Page 79A, by striking lines 24 through 35,
964 inclusive.

965 147. Page 79B, by striking lines 36 through 39,
966 inclusive.

967 148. Page 80, line 9, by striking the words "seven
968 hundred".

969 149. Page 80, line 10, by striking the words "sixty-
970 two point two (762.2)".

971 150. Page 80, line 16, by adding after the figure
972 "(762.13)," the following:

973 "seven hundred sixty-two point twenty-five (762.25),
974 seven hundred sixty-two point twenty-eight (762.28),
975 seven hundred sixty-two point twenty-nine (762.29),
976 seven hundred sixty-two point thirty (762.30)".

977 151. Page 80, by striking lines 27 and 28 and insert-
978 ing in lieu thereof the following:

979 "four hundred twenty point thirty-four (420.34)".

980 152. Page 80, line 32, by adding after the figure
981 "(626.102)," the following:

982 "six hundred forty-eight point six (648.6)".

983 153. Page 81, line 3, by striking the words "seven
984 hundred".

985 154. Page 81, line 4, by striking the words and
986 figure "sixty-one point fifteen (761.15)," and inserting
987 in lieu thereof the words and figure "seven hundred
988 sixty-two point one (762.1)".

989 155. Page 81, line 5, by striking the word and

990 figure "fifteen (762.15)," and inserting in lieu thereof
 991 the word and figure "twenty-one (762.21),".
 992 156. Page 81, line 6, by striking the word and
 993 figure "thirty (762.30)," and inserting in lieu thereof
 994 the word and figure "twenty-three (762.23),".
 995 157. Page 81, line 9, by striking the word and
 996 figure "forty-three (762.43)," and inserting in lieu
 997 thereof the word and figure "forty-five (762.45),".
 998 158. Page 81, by adding after line 12, the following:
 999 "six hundred two (602),".
 1000 159. Page 81, by striking lines 15 and 16 and insert-
 1001 ing in lieu thereof the following new section:
 1002 "Sec. EFFECTIVE DATE. This Act shall take
 1003 effect July 1, 1973, except sections seven (7) through
 1004 twenty-five (25), inclusive, as renumbered, which shall
 1005 take effect July 1, 1972, and sections specifically
 1006 providing otherwise."
 1007 160. Renumber sections and correct internal refer-
 1008 ences in conformance with the provisions of this amend-
 1009 ment.

PELTON of Clinton, Chairman

AMENDMENTS FILED

1 Amend the Kehe amendment to Senate File 85 filed February
 2 7, 1972, as follows:
 3 1. By striking lines 17 through 46 inclusive and by inserting
 4 in lieu thereof the following:
 5 "4. Pages 3A and 3B, by striking lines 24 through 48,
 6 inclusive, and on page 4, by striking lines 1 through 18, inclu-
 7 sive, and inserting in lieu thereof the following:
 8 '1. The air quality commission shall have seven members
 9 appointed by the governor with consent of two-thirds of the senate.
 10 Membership shall consist of:
 11 a. One representative of industry,
 12 b. One owner-operator of a farm,
 13 c. One person representing the League of Iowa Munic-
 14 ipalities,
 15 d. One representative of labor,
 16 e. Three electors of the state.
 17 2. The water quality commission shall have seven members
 18 appointed by the governor with consent of members appointed by
 19 the governor with consent of two-thirds of the senate. Member-
 20 ship shall consist of:
 21 a. One representative of industry,
 22 b. One owner-operator of a farm,
 23 c. One person representing the League of Iowa Muni-
 24 cipalities,
 25 d. One representative of labor,
 26 e. Three electors of the state.
 27 3. The solid waste disposal commission shall have seven
 28 members appointed by the governor with consent of two-thirds
 29 of the senate. Membership shall consist of:
 30 a. One person actively engaged in the operation of a

31 solid waste disposal site,

32 b. One representative of the Iowa State Association of
33 Counties.

34 c. One person representing the League of Iowa Munic-
35 ipalities,

36 d. One person representing solid waste collectors,

37 e. Three electors of the state,

38 5. Page 4 by striking lines 19 through 30 inclusive, and
39 inserting in lieu thereof the following:

40 'Any commission member may be removed by the governor
41 for cause. Members of the commissions shall be appointed by
42 the governor for overlapping terms of four years. Three
43 members shall be appointed for terms to expire two years after
44 appointment. Four members shall be appointed for terms to
45 expire four years after appointment. The term of office of each
46 member of the commissions shall commence on the first day of
47 July of the year of the appointment. Vacancies occurring
48 during a term of office shall be filled by appointment for the
49 balance of the unexpired term subject to confirmation by two-
50 thirds of the senate. No member of any of the commissions
51 shall be a full-time public employee.'

COCHRAN of Webster
SIGLIN of Lucas
PELLETT of Cass
EDELLEN of Emmet
MILLER of Marshall
SCOTT of Cerro Gordo
PRIEBE of Kossuth

1 Amend Senate File 85, page 23A, by striking
2 lines 14 through 20 and inserting in lieu thereof
3 the following:

4 "5. Establish, modify, or repeal rules and
5 regulations governing the labeling of detergents.
6 Any rules and regulations shall be formulated to
7 provide potential purchasers with accurate informa-
8 tion concerning the percent phosphorus and phosphate
9 in the formula giving equal display to both, the
10 weight in grams of phosphorus and phosphate per
11 recommended use level and the packaged ingredients
12 which the commission may deem potentially harmful to
13 the environment."

BLOUIN of Dubuque

1 Amend the Kehe amendment, filed February 7, 1972,
2 to Senate File 85, as amended and passed by the Senate
3 and reprinted, as follows:

- 4 1. By striking all of lines 22 through 28.
- 5 2. By striking from line 29 everything before
6 the word "No".

BLOUIN of Dubuque

1 Amend the Kehe amendment to Senate File 85, filed
2 February 7, 1972, as follows:

- 3 1. Line 20 by inserting after the word "members"

4 the following: “, each of whom shall be a
5 qualified elector,”.

6 2. Line 22 by striking the word “Three” and
7 inserting in lieu thereof the word “Four”.

8 3. By striking all after the period in line
9 28, all of lines 29 and 30, and through
10 the period in line 31.

CAMPBELL of Washington

1 Amend the Kehe amendment to Senate File 85, filed February 7,
2 1972 as follows:

3 By adding after the word “members” in line
4 20, the words “who are electors of this state”.

PIERSON of Mahaska
WAUGH of Monona

1 Amend the Kehe amendment to Senate File 85 filed Febru-
2 ary 7, 1972, by striking lines 47 and 48.

COCHRAN of Webster

1 Amend House File 524 as follows:

2 1. Page 8, by striking lines 17 through 21.

3 2. Page 8, by striking lines 27 and 28.

PELTON of Clinton

1 Amend House File 1050 as follows:

2 1. Page 17, line 27, by striking the word “paragraph”
3 and inserting in lieu thereof the words “paragraphs ‘b’
4 and”.

5 2. Page 17, line 28, by striking the word “is” and
6 inserting in lieu thereof the word “are”.

7 3. Page 17, by inserting after line 29 the following
8 new paragraph:

9 “b. Sell or dispense any alcoholic beverage or beer on
10 the premises covered by the license or permit, or permit the
11 consumption thereon between the hours of two a.m. and six
12 a.m. on any weekday, and between the hours of one a.m. and
13 eleven a.m. on Sunday [and six a.m. on the following Monday].”

GLUBA of Scott
BLOUIN of Dubuque

1 Amend House File 1133 as follows:

2 1. Page 6, by adding after line 10 the
3 following new section:

4 “Sec. 9. Chapter one hundred thirty-one (131),
5 section ninety-two (92), unnumbered paragraph two (2),
6 Acts of the Sixty-fourth General Assembly, First
7 Session, is amended to read as follows:

8 Every liquor control licensee and class “B”
9 beer permittee shall furnish proof of financial
10 responsibility either by the existence of a liability
11 insurance policy or by posting bond in such amount as
12 determined by the department. *However, upon evidence*
13 *satisfactory to the department, a class “B” beer*

14 *permittee which in fact sells beer for consumption*
 15 *off the premises only, shall be exempt from this*
 16 *requirement."*

17 2. By renumbering the remaining sections.

BLOUIN of Dubuque

1 Amend House File 1147 as follows:

2 1. Page 19, by adding after line 16 the follow-
 3 ing new paragraph:

4 "The county commissioner of elections shall set
 5 the convening time for the absentee ballot counting
 6 board prior to closing of the polls allowing a
 7 reasonable amount of time to complete counting the
 8 absentee ballots."

9 2. Page 19, by inserting after the word
 10 "closed" in line 30 a period and quotation marks.

11 3. Page 19, by striking all of line 31.

TAYLOR of Dubuque
 MONROE of Des Moines
 DRAKE of Muscatine

1 Amend House File 1147 as follows:

2 1. Page 8, by striking all of line 7 and
 3 inserting in lieu thereof the following: "will be a
 4 qualified elector on the day of the next known
 5 election."

6 2. Page 10, line 34, by striking the words "a
 7 receipt" and inserting in lieu thereof the words "a
 8 receipt".

9 3. Page 11, line 34, by inserting after the
 10 word "age" the following: ", or the finding of
 11 mental illness in a person of voting age".

12 4. Page 14, line 33, by inserting a period
 13 after the word "ballot".

14 5. Page 14, by striking all of lines 34 and 35.

15 6. Page 15, by striking all of lines 1 through
 16 5.

17 7. Page 16, line 34, by striking the word
 18 "computerized" and inserting in lieu thereof the
 19 word "[computerized]".

20 8. Page 18, by striking from lines 23 and 24
 21 the words "the reverse side of".

22 9. Page 21, line 20, by striking the word
 23 "vote" and inserting in lieu thereof the word "votes".

DRAKE of Muscatine

1 Amend House File 1156, page 7, by striking all of
 2 lines 10 through 14 and inserting in lieu thereof the
 3 following:

4 "Sec. 13. This Act, deemed of immediate importance,
 5 shall be in full force and take effect from and after
 6 its passage and publication in the Sioux City Journal,

- 7 a newspaper published in Sioux City, Iowa, and the
- 8 Davenport Times Democrat, a newspaper published in
- 9 Davenport, Iowa."

WINKELMAN of Calhoun

On motion by Varley of Adair, the House adjourned until 9:00 a.m., Wednesday, February 9, 1972.

JOURNAL OF THE HOUSE

Thirty-first Calendar Day—Twenty-third Session Day

HALL OF THE HOUSE OF REPRESENTATIVES
DES MOINES, IOWA, WEDNESDAY, FEBRUARY 9, 1972

The House met pursuant to adjournment, Speaker Harbor in the chair.

Prayer was offered by the Reverend Richard D. Hogan, pastor of the First Christian Church, Council Bluffs, Iowa.

The Journal of Tuesday, February 8, 1972, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Darryl E. Dorrenbos, LeMars, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Waugh of Monona by the Speaker.

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Twelve students from the First Presbyterian Church, Toledo, Iowa, accompanied by the Reverend Louis Haase. By Husak of Tama.

Thirty students from Northern University High School, Cedar Falls, Iowa, accompanied by their instructor, Don Scovel. By Hansen of Black Hawk.

Twenty-seven Town and Country Y.W.C.A. Y-Teen girls from Laurens High School, Laurens, Iowa, accompanied by their instructor, Jean Cowan. By Wirtz of Pocahontas.

Forty-five fifth grade students from St. Mary's School, Marshalltown, Iowa, accompanied by Mrs. Tom Pohle, Sister Nancy and Miss Emmons. By Miller of Marshall.

Forty-seven business law class students from Cedar Falls High School, Cedar Falls, Iowa, accompanied by their instructors, Kenneth Nye and Bud Nichols. By Hansen of Black Hawk.

Twenty-five Town and Country Y.W.C.A. Y-Teen girls from Corning High School, Corning, Iowa, accompanied by their instructor, Linda Winkler. By Varley of Adair.

Six Town and Country Y.W.C.A. Y-Teen girls from West Liberty accompanied by Mrs. Thomas Cousins. By Drake of Muscatine and Hamilton of Cedar.

BIRTHDAY CONGRATULATIONS

Priebe of Kossuth rose on a point of personal privilege and on behalf of the House extended to the Honorable Ed Skinner a "Happy Birthday."

PETITIONS FILED

The following petitions were received and placed on file:

By Strand of Poweshiek from fifty-four residents of Poweshiek County favoring full adult rights for eighteen-year-olds.

By Radl of Linn from twenty-four residents of Linn County opposing property taxes levied against parsonage.

ADOPTION OF COMMITTEE REPORTS

The Chief Clerk announced the adoption of reports of committees on House Files 235, 544, 1024, and 1047 and Senate Files 202, 428 and 1023, under Rule 35.

SENATE MESSAGE CONSIDERED

Senate File 1026, a bill for an act relating to actions arising out of injuries or damages to property.

Read first time and referred to committee on **judiciary**.

INTRODUCTION OF BILLS

House File 1159, by Ellsworth, a bill for an act relating to the sale of real property owned by a school district.

Read first time and referred to committee on **ways and means**.

House File 1160, by Lawson, a bill for an act relating to the exemptions from the sales tax.

Read first time and referred to committee on **ways and means**.

House File 1161, by Rodgers, Roorda, Siglin, Christensen, Doyle, Dougherty, Middleswart, Moffitt, Kelly, Varley, and

Pierson (Rhodes, Briles, Anderson, Laverty, and Gaudineer), a bill for an act relating to judicial redistricting and judicial nominating commissions.

Read first time and referred to committee on **judiciary**.

House File 1162, by Hansen, Ellsworth, and Schmeiser, a bill for an act relating to the renewal of automobile insurance.

Read first time and referred to committee on **commerce**.

House File 1163, by Egenes, a bill for an act to establish the use of enriched flour in certain bakery products.

Read first time and referred to committee on **agriculture**.

House File 1164, by Camp, a bill for an act relating to state reimbursement of counties for expenses attributable to collection of support payments for welfare recipients.

Read first time and referred to committee on **judiciary**.

House File 1165, by Ellsworth, a bill for an act relating to the taxation of marine insurance underwriting profits.

Read first time and referred to committee on **commerce**.

House File 1166, by Lawson, Ellsworth, Andersen, and Drake (Curran, Potter, Erskine, Nicholson, Kennedy, Thordsen, and Walsh), a bill for an act relating to the taxation of income from interstate commerce.

Read first time and referred to committee on **ways and means**.

House File 1167, by Lawson, Ellsworth, Andersen, and Drake (Curran, Potter, Erskine, Nicholson, Kennedy, Thordsen, and Walsh), a bill for an act relating to the service tax on storage of goods.

Read first time and referred to committee on **ways and means**.

House File 1168, by Lawson, a bill for an act relating to abandoned railroad right-of-way.

Read first time and referred to committee on **commerce**.

House File 1169, by committee on law enforcement, a bill for an act requiring a report of the disposition of all persons whose arrest has been reported to the division of criminal investigation and the bureau of identification.

Read first time and **placed on the calendar**.

House File 1170, by Kelly, a bill for an act relating to business corporations.

Read first time and referred to committee on **commerce**.

House File 1171, by Lawson (Curran), a bill for an act relating to governmental immunity in the operation of snowmobiles.

Read first time and referred to committee on **judiciary**.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File 734, a bill for an act relating to junkyards along interstate and federal aid primary highways.

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

House File 1012, a bill for an act requiring posting of bond in conjunction with petition to establish a rural water district.

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

House File 1036, a bill for an act relating to the posting of a bond in conjunction with a petition.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File 1008, a bill for an act relating to bank holding companies.

CARROLL A. LANE, Secretary

SENATE AMENDMENT TO HOUSE FILE 734

- 1 Amend House File 734, as passed by the House, as follows:
- 2 1. Page 1, line 4, by inserting after the word "Beautification"
- 3 the words "and Billboard".
- 4 2. Page 1, line 11, by inserting after the word "junkyards" the
- 5 following: "and to control outdoor advertising".
- 6 3. By striking everything after the enacting clause and inserting
- 7 in lieu thereof the following:
- 8 Section 1. DEFINITIONS. For the purposes of sections
- 9 one (1) through nine (9), inclusive, of this Act, unless the
- 10 context otherwise requires:
- 11 1. "Junk" means old or scrap copper, brass, rope, rags,
- 12 batteries, paper, trash, rubber debris, waste, or junked,
- 13 dismantled, or wrecked automobiles, or parts of automobiles,
- 14 or iron, steel, or other old or scrap ferrous or nonferrous
- 15 material.
- 16 2. "Junkyard" means an establishment or place of business
- 17 which is maintained, operated, or used primarily for storing,
- 18 keeping, buying, or selling junk; and the term includes garbage

19 dumps, sanitary fills, and automobile graveyards.

20 3. "Interstate highway" includes "interstate roads" and
21 "interstate system" and means any highway of the primary
22 system at any time officially designated as a part of the
23 national system of interstate and defense highways by the
24 commission and approved by the appropriate authority of the
25 federal government.

26 4. "Primary highway" includes the federal aid primary
27 system and means that portion of connected main highways which
28 are currently or subsequently officially designated as primary
29 highways by the commission and approved by the appropriate
30 authority of the federal government.

31 5. "Commission" means the state highway commission.

32 Sec. 2. JUNKYARDS PROHIBITED—EXCEPTIONS. A person
33 shall not establish, operate, or maintain a junkyard, any
34 portion of which is within one thousand feet of the nearest
35 edge of the right-of-way of any interstate or primary high-
36 way, except:

37 1. Those which are screened by natural objects, plant-
38 ings, fences, or other appropriate means obscuring them
39 from view from the main-traveled portion of the highway.

40 2. Those located within areas which are zoned for
41 industrial use under authority of law.

42 3. Those located within unzoned industrial areas which
43 areas shall be determined from actual land uses and defined
44 by regulations to be promulgated by the commission under the
45 provisions of chapter seventeen A (17A) of the Code in
46 accordance with the standards, criteria, and rules and
47 regulations promulgated under authority of Title twenty-
48 three (23), United State Code.

49 4. Those which are not visible from the main-traveled
50 portion of the highway.

51 Sec. 3. JUNKYARDS LAWFULLY IN EXISTENCE. Any junk-
yard

52 located outside a zoned or unzoned industrial area lawfully
53 in existence on the effective date of this Act which is
54 within one thousand feet of the nearest edge of the right-of-
55 way and visible from the main-traveled portion of any highway
56 on the interstate or primary system shall be screened, if
57 feasible, by the commission or the owner under rules and
58 direction of the commission, at locations on the highway
59 right-of-way or in areas acquired for such purposes outside
60 the right-of-way in order to obscure the junkyard from the
61 main-traveled way of such highways.

62 Sec. 4. REQUIREMENTS AS TO SCREENING. The commission
63 may adopt rules and regulations pursuant to chapter seventeen A
64 (17A) of the Code governing the location, planting, con-
65 struction, and maintenance of screening or fencing required
66 by this Act including materials to be used. However, such
67 rules and regulations shall be in accordance with the standards,
68 criteria, rules, and regulations promulgated under authority
69 of Title twenty-three (23), United States Code.

70 Sec. 5. ACQUISITION OF LAND FOR SCREENING OR RE-
REMOVAL.

71 When the commission determines that it is in the best interests

72 of the state, it may acquire by gift, purchase, exchange,
73 or condemnation, as provided by law, such property or rights
74 or interests in property as may be necessary to provide
75 adequate screening for junkyards. When the commission determines
76 that the topography of the land adjoining the highway will
77 not permit adequate screening, or screening would not be
78 economically feasible, the commission may acquire such
79 property or rights or interests in property as may be
80 necessary to secure the relocation, removal, or disposal
81 of the junkyard, and shall pay the cost of such relocation,
82 removal, or disposal, with or without federal participation.
83 However, no plan for relocation, removal, or disposal which
84 qualifies for federal participation shall be undertaken
85 unless the commission has received notification from the
86 federal government that the federal share to be paid is
87 immediately available for that purpose.

88 Sec. 6. NUISANCE—INJUNCTION. Any junkyard which
89 does not conform to the requirements of sections one (1)
90 through nine (9), inclusive, of this Act, and which is not
91 excepted under sections two (2) or three (3) of this Act,
92 is a public nuisance. The commission may apply for an
93 injunction to abate any nuisance arising from a violation
94 of the provisions of sections one (1) through nine (9),
95 inclusive, of this Act, or rules and regulations adopted
96 pursuant to sections one (1) through nine (9), inclusive,
97 of this Act.

98 Sec. 7. INTERPRETATION. Nothing in this Act shall
99 be construed to abrogate or affect the provisions of any
100 lawful ordinance, regulation, or resolution, which are more
101 restrictive than the provisions of sections one (1) through
102 nine (9), inclusive, of this Act.

103 Sec. 8. AGREEMENTS WITH THE UNITED STATES AU-
THORIZED.

104 The commission may enter into agreements with the United
105 States secretary of transportation as provided by Title twenty-
106 three (23), United States Code, relating to control of junk-
107 yards in areas adjacent to the interstate and primary systems,
108 and take action in the name of the state to comply with the
109 terms of such agreements.

110 Sec. 9. Nothing in section one (1) through nine (9),
111 inclusive, of this Act shall be construed as permitting the
112 taking of private property or the restriction of the
113 reasonable and existing uses of such property without just
114 compensation and in accordance with the provisions of chapter
115 four hundred seventy-two (472) of the Code and Title twenty-
116 three (23), United States Code.

117 Sec. 10. DEFINITIONS. For the purposes of sections
118 ten (10) through twenty-two (22), inclusive, of this Act,
119 unless the context otherwise requires:

120 1. "Commission" means the state highway commission of
121 the state of Iowa.

122 2. "Interstate highway" includes "interstate road"
123 and "interstate system" and means any highway of the primary
124 system at any time officially designated as a part of the
125 national system of interstate and defense highways by the

126 commission and approved by the appropriate authority of the
127 federal government.

128 3. "Bonus interstate highways" includes all inter-
129 state highways except those interstate highways adjacent
130 to areas excepted from control under chapter three hundred
131 six B (306B) by authority of section three hundred six B
132 point two (306B.2), subsection five (5) of the Code.

133 4. "Primary highways" includes the entire primary
134 system as officially designated, or as may hereafter be
135 so designated, by the commission.

136 5. "Freeway primary highway" means those primary
137 highways which have been constructed as a fully controlled
138 access facility with no access to the facility except at
139 established interchanges.

140 6. "Main-traveled way" means the portion of the road-
141 way for movement of vehicles on which through traffic is
142 carried exclusive of shoulders and auxiliary lanes. In the
143 case of a divided highway, the main-traveled way includes
144 each of the separated roadways for traffic in opposite
145 directions, exclusive of frontage roads, turning roadways,
146 or parking areas.

147 7. "Advertising device" includes any outdoor sign,
148 display, device, figure, painting, drawing, message, placard,
149 poster, billboard, or any other device designed, intended,
150 or used to advertise or give information in the nature of
151 advertising, and having the capacity of being visible from
152 the traveled portion of any interstate or primary highway.

153 8. "Structure" means any sign supporting device includ-
154 ing but not limited to buildings.

155 9. "Erect" means to construct, reconstruct, build, raise,
156 assemble, place, affix, attach, create, paint, draw, or in
157 any other way bring into being or establish; however, it shall
158 not include any of the foregoing activities when performed
159 incidental to the customary maintenance of a sign.

160 10. "Maintain" means to cause to remain in a state of
161 good repair but does not include reconstruction.

162 11. "Reconstruction" means any repair to the extent of
163 sixty percent or more of the replacement cost of the structure,
164 excluding buildings.

165 12. "Visible" means capable of being read or comprehended
166 without visual aid by a person of normal visual acuity.

167 13. "Adjacent area" means an area which is contiguous
168 to and within six hundred and sixty feet of the nearest edge
169 of the right-of-way of any interstate, freeway primary, or
170 primary highway.

171 14. "Right-of-way" means land area dedicated to public
172 use for the highway and its maintenance, and includes land
173 acquired in fee simple or by permanent easement for high-
174 way purposes, but does not include temporary easements or
175 rights for supplementary highway appurtenances.

176 15. "Information center" means a site, either with or
177 without structures or buildings, established and maintained
178 at a rest area for the purpose of providing "information of
179 specific interest to the traveling public", as that phrase is
180 defined in section eleven (11), subsection five (5), of this

181 Act.

182 16. "Rest area" means an area or site established and
183 maintained under authority of section three hundred thirteen
184 point sixty-seven (313.67) of the Code within the right-of-
185 way of an interstate, freeway primary, or primary highway under
186 supervision and control of the commission for the safety,
187 recreation, and convenience of the traveling public.

188 17. "Commercial or industrial zone" means those areas
189 zoned commercial or industrial under authority of a law,
190 regulation, or ordinance of this state, its subdivisions,
191 or a municipality.

192 18. "Commercial or industrial activities" means those
193 activities generally recognized as commercial or industrial
194 by zoning authorities in this state, except that none of
195 the following activities shall be considered commercial or
196 industrial:

197 a. Outdoor advertising structures.

198 b. Agricultural, forestry, grazing, farming, and
199 related activities, including, but not limited to, wayside
200 fresh produce.

201 c. Activities in operation less than three months per
202 year.

203 d. Activities conducted in a building principally used
204 as a residence.

205 e. Railroad tracks and minor spurs.

206 f. Activities outside of adjacent areas, as defined by
207 sections ten (10) through twenty-two (22), inclusive, of this
208 Act.

209 g. Activities which have been used in defining and
210 delineating an unzoned area but which have since been dis-
211 continued or abandoned.

212 h. Residential housing developments.

213 i. Mobile home parks.

214 j. Institutions of learning.

215 k. State, county and charitable institutions.

216 l. State and county conservation and recreation areas,
217 public parks, forests, playgrounds, or other areas of
218 historic interest or areas designated as scenic beautification
219 areas under section three hundred thirteen point sixty-seven
220 (313.67) of the Code.

221 19. "Unzoned commercial or industrial area" means those
222 areas not zoned by state or local law, regulation, or ordinance,
223 which are occupied by one or more commercial or industrial
224 activities, and the land along the interstate, freeway primary,
225 and primary highways for a distance of seven hundred fifty
226 feet immediately adjacent to the activities. All measurements
227 shall be from the outer edge of the regularly used buildings,
228 parking lots, storage, or processing areas of the activities
229 and shall be parallel to the edge of pavement of the highway.
230 Measurements shall not be from the property line of the activities
231 unless that property line coincides with the limits of the
232 activities. Unzoned commercial or industrial areas shall not
233 include land on the opposite side of the highway from the
234 commercial or industrial activities.

235 Sec. 11. Subject to the provision made in section

236 twelve (12) of this Act regarding control of bonus interstate
237 highways, no advertising device shall be erected or maintained
238 within any adjacent area as defined in section ten (10) of
239 this Act, except the following:

240 1. Signs, displays, and devices advertising the sale
241 or lease of property upon which they are located.

242 2. Signs, displays, and devices advertising activities
243 conducted on the property on which they are located. Neither
244 shall the property upon which they are located be construed
245 to mean located upon any contiguous area having inconsistent
246 use, size, shape, or ownership.

247 3. Signs adjacent to such highways located in commercial
248 or industrial zones or in unzoned commercial or industrial
249 areas in compliance with the regulatory standards of sections
250 ten (10) through twenty-two (22), inclusive, of this Act and
251 rules and regulations promulgated by the commission.

252 4. Signs upon or along such highways which are
253 directional or other official traffic control devices and
254 notices which signs and notices shall include, but not be
255 limited to signs and notices pertaining to natural wonders,
256 scenic and historic attractions which are required or
257 authorized by law which shall conform with rules and
258 regulations promulgated by the commission, provided that
259 such rules shall be consistent with national standards pro-
260 mulgated from time to time by the appropriate authority of
261 the federal government, pursuant to Title twenty-three (23),
262 section one hundred thirty-one (131), paragraph c of the
263 United States Code.

264 5. Signs, displays, and devices giving specific
265 information of interest to the traveling public, may be
266 erected and maintained within the right-of-way in such
267 areas, and at appropriate distances from interchanges on
268 the interstate system as shall conform with the rules and
269 regulations promulgated by the commission. Such rules
270 shall be consistent with national standards promulgated
271 from time to time by the appropriate authority of the
272 federal government pursuant to Title twenty-three (23),
273 section one hundred thirty-one (131), paragraph f of the
274 United States Code. For purposes of sections ten (10)
275 through twenty-two (22), inclusive, of this Act, "specific
276 information of interest to the traveling public", means only
277 information about public places for outdoor recreation,
278 camping, lodging, eating, and vehicle service and repair,
279 including trade names only if it identifies such places as
280 such.

281 Sec. 12. The commission shall control the erection
282 and maintenance of signs authorized by section eleven (11),
283 subsection three (3) of this Act in accord with the follow-
284 ing criteria, except that in the case of bonus interstate
285 highways the commission shall maintain the controls required
286 under chapter three hundred six B (306B) of the Code or the
287 controls required by sections ten (10) through twenty-two (22)
288 of this Act, whichever controls are stricter:

289 1. Signs adjacent to interstate highways and freeway
290 primary highways shall not be erected or maintained closer

291 to another sign facing in the same direction than five hundred
292 feet outside of cities and towns, and within two hundred fifty
293 feet if inside of cities and towns. A sign may not be located
294 within two hundred fifty feet of an interchange, or rest
295 area. The measurement shall be from the nearest widening
296 constructed for the purpose of acceleration or deceleration
297 of traffic movement to or from the main-traveled way to the
298 sign.

299 2. Signs adjacent to primary highways shall not be
300 erected or maintained closer to another sign facing in the
301 same direction than one hundred feet if inside the corporate
302 limits of a municipality. No sign, other than as excepted
303 or permitted by subsections four (4), five (5), or six (6) of
304 this section, shall be located within the triangular area
305 formed by the line connecting two points each fifty feet back
306 from the point where the street right-of-way lines of the main-
307 traveled way and the intersecting street meet, or would meet,
308 if extended.

309 3. Signs adjacent to primary highways shall not be
310 erected or maintained closer to another sign facing in the
311 same direction than three hundred feet if outside the corporate
312 limits of a municipality. No sign, other than those excepted
313 or permitted by subsections four (4), five (5), or six (6) of
314 this section, shall be located within the triangular area
315 formed by a line connecting two points each one hundred feet
316 back from the point where the street right-of-way lines of the
317 main-traveled way and the intersecting street meet, or would
318 meet, if extended.

319 4. The distance spacing measurements fixed by subsections
320 two (2) and three (3) of this section shall not apply to signs
321 which are separated by a building in such a manner that only
322 one sign located within the minimum spacing distance is visible
323 from the highway at any one time.

324 5. Within a triangular area, as defined by subsections
325 two (2) and three (3) of this section, occupied by a building
326 or structure, no sign shall be erected or maintained closer
327 to the intersection than the building or structure itself,
328 except that a wall sign may be attached to said building
329 or structure not to protrude more than twelve inches.

330 6. Official signs and signs advertising the sale or
331 lease of the property or activities conducted upon the
332 property as specified in Title twenty-three (23), section
333 one hundred thirty-one (131), paragraph c of the United
334 States Code, shall not be taken into consideration in
335 determining compliance with spacing requirements.

336 7. The minimum distance between two signs facing the
337 same direction shall apply without regard to the side of
338 the highway on which the signs may be located and shall be
339 measured along the center line of the highway between points
340 directly opposite the signs.

341 8. Advertising devices shall not be erected, maintained,
342 or illuminated:

343 a. In a manner to obscure or otherwise physically inter-
344 fere with an official traffic sign, signal, or device, or
345 to obstruct or physically interfere with any driver's view

346 of approaching, merging, or intersecting traffic.

347 b. Unless effectively shielded to prevent light from
348 being directed at any portion of the traveled highway with
349 such intensity or brilliance as to cause glare or to impair
350 the vision of the driver of any motor vehicle.

351 c. Which contain, include, or are illuminated by any
352 flashing, intermittent, or moving light or lights, except
353 those giving public service information such as, but not
354 limited to time, date, temperature, weather, news and similar
355 information.

356 d. Which imitate or resemble an official sign or signal
357 device or which are erected or maintained within or closer
358 than three hundred feet from scenic areas, as defined and
359 determined by the commission, or which are located or main-
360 tained upon trees, or painted or drawn upon rocks or natural
361 features, or which are structurally unsafe or in substantial
362 disrepair.

363 e. Which exceed one thousand two hundred square feet
364 in area or in the case of a back-to-back or V-type sign, with
365 a maximum of two facings per sign, seven hundred fifty square
366 feet in area, including border and trim but excluding base or
367 apron, support, and other structural members.

368 f. Which do not comply with all applicable state or
369 local laws, regulations and ordinances, including but not
370 limited to zoning, building, and sign codes as locally
371 interpreted and applied and enforced, or which violate
372 chapter three hundred nineteen (319) of the Code; however,
373 nothing in sections ten (10) through twenty-two (22),
374 inclusive, of this Act, shall prevent or restrict county
375 or local zoning authorities from making a determination of
376 customary use concerning size, lighting, and spacing of signs
377 in zoned commercial or industrial adjacent areas, and such
378 determinations will be accepted in lieu of the standards of
379 sections ten (10) through twenty-two (22), inclusive, of this
380 Act. The provisions of sections ten (10) through twenty-two
381 (22), inclusive, of this Act shall not prevent or restrict
382 county or local zoning authorities within their respective
383 jurisdictions from establishing standards imposing controls
384 stricter than those required by sections ten (10) through
385 twenty-two (22), inclusive, of this Act.

386 g. The standards contained in this section pertaining
387 to size, lighting, and spacing shall not apply to signs
388 erected or maintained within six hundred sixty feet of the
389 right-of-way of those portions of the interstate highway
390 system exempted from control under chapter three hundred
391 six B (306B) of the Code by authority of section three
392 hundred six B point two (306B.2), subsection five (5) of
393 the Code, nor to signs erected and maintained within
394 adjacent areas along primary highways within zoned and
395 unzoned commercial and industrial areas, unless said signs
396 were erected subsequent to the effective date of sections
397 ten (10) through twenty-two (22), inclusive, of this Act.

398 Sec. 13. Any sign lawfully in existence in an adjacent
399 area on the effective date of sections ten (10) through
400 twenty-two (22), inclusive, of this Act, which does not

401 conform with the provisions of sections ten (10) through
402 twenty-two (22), inclusive, of this Act, shall be required
403 to be brought into conformity or removed within six years after
404 the effective date of sections ten (10) through twenty-two
405 (22), inclusive, of this Act. Any sign lawfully erected after
406 the effective date of sections ten (10) through twenty-two
407 (22), inclusive, of this Act which subsequently becomes
408 nonconforming, shall be required to be brought into conformity
409 or removed within five years after the date the nonconformity
410 occurs. However, no sign shall be acquired or be required to
411 be removed pursuant to sections ten (10) through twenty-two
412 (22), inclusive, of this Act unless the commission has received
413 notification from the federal government that the federal share
414 of "just compensation" to be paid is immediately available to
415 contribute to the cost of acquisition or removal; this require-
416 ment shall not apply to the acquisition or removal of signs
417 for which no federal share is payable.

418 Sec. 14. The commission shall acquire by purchase, gift,
419 or condemnation, and shall pay "just compensation" upon the
420 removal of any of the following signs which are not in
421 conformity with the provisions of sections ten (10) through
422 twenty-two (22), inclusive, of this Act:

423 1. Signs lawfully in existence on the effective date of
424 sections ten (10) through twenty-two (22), inclusive, of this
425 Act.

426 2. Signs lawfully in existence on land adjoining any
427 highway made an interstate, freeway primary, or primary
428 highways after the effective date of sections ten (10)
429 through twenty-two (22), inclusive, of this Act.

430 3. Signs lawfully erected on or after the effective
431 date of sections ten (10) through twenty-two (22), inclusive,
432 of this Act, but which subsequently become nonconforming.

433 4. Any sign erected on the mistaken or negligent
434 advice of any official or employee of the state of Iowa as
435 to the interpretation, effect, or operation of sections
436 ten (10) through twenty-two (22), inclusive, of this Act,
437 chapter three hundred six B (306B) of the Code, or rules
438 and regulations promulgated by the commission.

439 Sec. 15. Compensation required by section fourteen (14)
440 of this Act shall be paid for the following:

441 1. The taking from the owner of such sign, display,
442 or device of all right, title, leasehold, and interest in
443 such sign, display or device.

444 2. The taking from the owner of real property on
445 which a sign, display, or device is located, of the right
446 to erect and maintain such signs, displays, and devices
447 upon that real property.

448 Sec. 16. The provisions of chapters four hundred
449 seventy-one (471) and four hundred seventy-two (472) of
450 the Code shall be applicable to any such condemnation
451 commenced pursuant to sections ten (10) through twenty-two
452 (22), inclusive, of this Act, and the commission may take
453 immediate possession of and remove such signs under the
454 procedures of section four hundred seventy-two point
455 twenty-five (472.25) of the Code.

456 Sec. 17. On every sign regulated by the provisions
457 of sections ten (10) through twenty-two (22), inclusive,
458 of this Act, or on the structure on which the sign is
459 displayed, shall be affixed the name and address of the
460 owner of the display and the date of its erection. However,
461 if the address of the owner is on file with the commission
462 it need not be stated on the display. No sign permitted
463 by section twelve (12) of this Act may be erected without
464 first obtaining a permit from the commission. The appli-
465 cation for a permit shall be on a form provided by the
466 commission and shall contain such information as the commission
467 may deem necessary. Upon receipt of an application containing
468 all required information in due form and properly executed,
469 together with a permit fee as provided in this section, the
470 commission shall issue a permit to the applicant for the
471 erection of the sign if the sign will not violate any pro-
472 vision of sections ten (10) through twenty-two (22), inclusive,
473 of this Act, or of chapter three hundred six B (306B) of the
474 Code, or any rule or regulation promulgated by the commission.

475 The fee for a permit shall be:

476 1. Two dollars for the initial permit and fifty cents
477 for each annual renewal thereof, if the advertising area of
478 the advertising device does not exceed fifty square feet.

479 2. Five dollars for the initial permit and one dollar
480 for each annual renewal thereof, if the advertising area of
481 the advertising device exceeds fifty square feet, but does
482 not exceed three hundred square feet.

483 3. Ten dollars for the initial permit and two dollars
484 for each annual renewal thereof, if the advertising area of
485 the advertising device exceeds three hundred square feet.

486 Sec. 18. Any sign erected or maintained in an adjacent
487 area after the effective date of sections ten (10) through
488 twenty-two (22), inclusive, of this Act, in violation of
489 sections ten (10) through twenty-two (22), inclusive, of
490 this Act, or any sign erected or maintained in violation of
491 chapter three hundred six B (306B) of the Code, or the rules
492 and regulations promulgated by the commission, is a public
493 nuisance and may be removed by the commission upon thirty
494 days' notice, by certified mail, to the owner of the device
495 and to the owner of the land on which the sign is located.
496 The notice shall require such owners to remove the sign if
497 it is prohibited, or to cause it to conform to sections
498 ten (10) through twenty-two (22), inclusive, of this Act
499 or rules and regulations promulgated by the commission if
500 it is not prohibited.

501 1. If the landowner or owner of the sign fails to act
502 within thirty days as required in the notice, the commission
503 may enter upon the land and remove the sign. Such entry after
504 notice, shall not be deemed a trespass and the commission may
505 be aided by injunction to abate the nuisance and to insure
506 peaceful entry.

507 2. The cost of removal, including any fees and costs
508 or expenses as may arise out of any action brought by the
509 commission to insure peaceful entry and removal, shall be
510 assessed against the owner of the sign. Should the owner

511 of the sign fail to promptly pay such fees, costs, or expenses,
512 the commission shall proceed to advertise and sell the sign for
513 purposes of collecting the same. Any balance from the total
514 receipts of the sale after deducting all fees, costs, and
515 expenses, including those of the sale, shall be paid to the
516 owner of the sign; however, if in the opinion of the
517 commission the proceeds of the sale will not be sufficient
518 to justify the expense involved, the sign may be used,
519 scrapped, dismantled, or otherwise destroyed or disposed
520 of by the commission as it sees fit.

521 Sec. 19. Whoever erects a sign in violation of
522 sections ten (10) through twenty-two (22), inclusive,
523 of this Act or chapter three hundred six B (306B) of
524 the Code or the rules and regulations promulgated by
525 the commission shall be guilty of a misdemeanor and
526 upon conviction be fined not less than twenty-five dollars
527 nor more than one hundred dollars.

528 Sec. 20. The commission shall enter into agreements
529 with the duly constituted federal authorities in order to
530 secure for the state all bonus federal funds allotted and
531 appropriations to the state and to avoid loss or reduction,
532 under Title twenty-three (23), section one hundred thirty-
533 one (131), of the United States Code, of federal aid funds
534 apportioned or to be apportioned to the state under Title
535 twenty-three (23), section one hundred four (104) of the
536 United States Code. The commission may accept funds from
537 whatever source, including any allotment of funds by the
538 United States, or any of its departments or agencies,
539 appropriated to carry out the purposes of Title twenty-
540 three (23), section one hundred thirty-one (131) of the United
541 States Code. The commission shall take such steps as may be
542 necessary to obtain from the United States or any of its
543 departments or agencies, funds allotted and appropriated
544 for the purpose of paying the federal share of just compensation
545 to be paid to sign owners and owners of the real property under
546 the terms of this Act and Title twenty-three (23), section one
547 hundred thirty-one (131), paragraph g of the United States
548 Code.

549 Sec. 21. The commission may establish or enter into
550 agreements with private persons, firms, or corporations for
551 the establishment of information centers in rest areas
552 on the interstate, freeway primary, and primary highways,
553 subject to the approval of the appropriate authority of
554 the federal government.

555 Sec. 22. Section three hundred six B point five
556 (306B.5), Code 1971, is amended to read as follows:
557 306B.5 NUISANCE DECLARED. Any advertising device
558 erected adjacent to any interstate system after May 21,
559 1965, which violates the provisions of this chapter or
560 fails to comply with the rules and regulations promulgated
561 by the state highway commission is a public nuisance. The
562 state highway commission shall give thirty days' notice,
563 by certified mail, to the owner of the device and to the
564 owner of the land on which said device is located to remove
565 such advertising device if it is a prohibited device or

566 cause it to conform to rules and regulations if it is an
 567 authorized device. [If the landowner or owner of the
 568 device fails to act within thirty days as required in the
 569 notice, the state highway commission may file a petition
 570 in the district court of the county where such advertising
 571 device is located to abate the nuisance. If the court finds
 572 that a violation exists as alleged in the petition, the
 573 court shall enter an order of abatement against the person
 574 or persons erecting or maintaining such advertising device
 575 and against the person or persons owning the land on which
 576 such advertising device is located.] *If the landowner or*
 577 *owner of the sign fails to act within thirty days as*
 578 *required in the notice, the state highway commission may*
 579 *enter upon the land and remove the sign. Such entry after*
 580 *notice, shall not be deemed a trespass and the commission*
 581 *may be aided by injunction to abate the nuisance and to*
 582 *insure peaceful entry. The cost of removal, including any*
 583 *fees and costs or expenses as may arise out of any action*
 584 *brought by the commission to insure peaceful entry and*
 585 *removal, shall be assessed against the owner of the sign.*
 586 *Should the owner of the sign fail to promptly pay such*
 587 *fees, costs or expenses, the commission shall proceed to*
 588 *advertise and sell the sign for purposes of collecting the*
 589 *same. Any balance from the total receipts of the sale after*
 590 *deducting the fees, costs and expenses, including those of*
 591 *the sale, shall be paid to the owner of the sign; however,*
 592 *if in the opinion of the commission, the proceeds of the*
 593 *sale will not be sufficient to justify the expense involved,*
 594 *the sign may be used, scrapped, dismantled, or otherwise*
 595 *destroyed or disposed of by the commission as it sees fit.*
 596 4. Page 1, lines 1 and 2, by striking everything after the
 597 word "to" and inserting in lieu thereof the words "the
 598 state's compliance with the federal Highway Beautification
 599 Act regarding junkyard and billboard standards, and providing
 600 penalties."

SENATE AMENDMENT TO HOUSE FILE 1012

1 Amend House File 1012, line 7, by adding after the word "bond"
 2 the following: ", certified check or cash".

SENATE AMENDMENT TO HOUSE FILE 1036

1 Amend House File 1036, page 2, line 4, by inserting after
 2 the word "bond" the following: ", certified check or cash".

CONSIDERATION OF BILL

UNFINISHED BUSINESS

The House resumed consideration of Senate File 85, a bill for an act creating a department of environmental quality, specifying its powers, duties and functions, and providing penalties for violations thereof.

Kehe of Bremer asked and received unanimous consent to withdraw the amendment filed by the committee on environmental preservation on January 21, 1972, and found on pages 136 through 140 of the House Journal, and all amendments filed thereto.

Welden of Hardin offered the amendment filed by him on February 4, 1972, and found on pages 289 through 296 of the House Journal and moved its adoption.

A non-record roll call was requested.

The ayes were 14, nays 59.

The amendment lost.

Blouin of Dubuque offered the following amendment from the floor and moved its adoption:

Amend Senate File 85, as amended and passed by the Senate and reprinted, as follows:

1. Page 2A, by striking lines 8 and 9 and inserting in lieu thereof the following:

“3. “Commission” means the Environmental Quality Commission of the Department of Environmental Quality.”

2. Page 2A, line 20, by striking the words “executive committee” and inserting in lieu thereof the word “commission”.

3. Page 2A, lines 23 and 24, by striking the words “appropriate” and “within the department.”

4. Page 2A, line 28, by striking the words “the executive committee and the commissions” and inserting in lieu thereof the word “commission”.

5. Page 2A, line 29, by striking the words “executive committee” and inserting in lieu thereof the word “commission”.

6. Page 2A, lines 30 and 31, by striking the words “executive committee” and inserting in lieu thereof the word “commission.”

7. Page 2A, line 32, by striking the words “executive committee” and inserting in lieu thereof the word “commission”.

8. Page 3A, line 6, by striking the words “executive committee” and inserting in lieu thereof the word “commission.”

9. By striking lines 18, page 3A, through line 30, page 4, inclusive, and inserting in lieu thereof the following:

“Sec. 4. There is created within the Department an Environmental Quality Commission to establish policy for the programs and services of the Department

of Environmental Quality. The membership of the commission shall be as follows:

Eleven members appointed by the governor with consent of two-thirds of the senate, except that of the initial commission membership, three members shall be selected from the appointed members of the Iowa Air Pollution Control Commission abolished by this Act, three members shall be selected from the appointed members of the Iowa Water Pollution Control Commission abolished by this Act, and three members shall be selected from the appointed members of the Chemical Technology Review Board abolished by this Act. The remaining members of the initial commission shall be selected by the governor as hereinafter provided.

The members of the commission shall be appointed from among the qualified electors of the state and be selected on the basis of their qualifications and fitness to discharge the duties of office. The term of office for each member of the commission shall be four years, except as otherwise provided for members of the initial commission or in the case of a vacancy.

Of the initial members, three shall serve one year terms, three shall serve two year terms, three shall serve three year terms, and two shall serve four year terms, as designated by the governor with the consent of two-thirds of the senate.

No member of the commission shall serve more than two full terms. Any member of the commission may be removed by the governor for cause.

The term of office of each member of the commission shall commence on the first day of July of the year of the appointment. Vacancies occurring during a term of office shall be filled by appointment for the balance of the unexpired term, with such appointments becoming effective immediately upon confirmation by two-thirds of the senate.

The director of the State Conservation Commission, the director of the Iowa Natural Resources Council, the director of the Department of Soil Conservation, and the Commissioner of Public Health, or their designees, shall be ex-officio, non-voting members of the commission."

10. Page 4, by striking line 31 and inserting in lieu thereof "The commission shall meet at least eight times a year."

11. Page 5, line 2, by striking the word "commissions" and inserting in lieu thereof the word "commission".

12. Page 5, line 3, by striking the word "each" and inserting in lieu thereof the word "the".

13. Page 5, line 7, by striking the word "each" and inserting in lieu thereof the word "the".

14. Page 5, line 10, by striking the word "Each" and inserting in lieu thereof the word "The".
15. Page 5, line 15, by striking the words "other commissions".
16. Page 5, line 16, by striking the words "within the department".
17. Page 5, lines 22 and 23, by striking the words "section seven (7), subsection four (4), of this Act, and".
18. By striking lines 24, page 5, through line 8, page 6A, inclusive.
19. Page 6A, line 22, by striking the words "executive committee" and inserting in lieu thereof the word "commission".
20. By striking lines 27, page 6A, through line 37, page 6B, inclusive.
21. Page 8, line 26, by striking the words "air quality" and inserting in lieu thereof the words "environmental quality".
22. Page 9, line 25, by striking the word "affected".
23. Page 21A, line 9, by striking the word "air" and inserting in lieu thereof the word "environmental".
24. Page 22A, line 27, by striking the word "water" and inserting in lieu thereof the word "environmental".
25. Page 30A, line 15, by striking the word "water" and inserting in lieu thereof the word "environmental".
26. Page 35, line 23, by striking the word "water" and inserting in lieu thereof the word "environmental".
27. Page 39A, line 5, by striking the word "water" and inserting in lieu thereof the word "environmental".
28. Page 39B, line 36, by striking the words "solid waste disposal" and inserting in lieu thereof the words "environmental quality".
29. Page 41, by striking the sentence beginning with the word "The" in line 8 and ending with the word "rules." in line 10.
30. Page 41, by striking from lines 12 and 13 the words "and section seven (7), subsection four (4), of this Act."
31. Page 44A, line 22, by striking the words "solid waste disposal" and inserting in lieu thereof the words "environmental quality".
32. Page 44A, line 32, by striking the words "solid waste disposal" and inserting in lieu thereof the words "environmental quality".

33. Page 45, line 38, by striking the words "chemical technology" and inserting in lieu thereof the words "environmental quality".

34. Page 50, by striking lines 5 through 29, inclusive.

35. Page 62, line 13, by striking the words "chemical technology" and inserting in lieu thereof the words "environmental quality".

36. By renumbering the sections, subsections, and internal references to sections and subsections, to conform to this amendment.

Roll call was requested by Blouin of Dubuque and Kinley of Polk.

On the question "Shall the amendment be adopted?"

The ayes were, 29:

Bennett	Jesse	Monroe	Skinner
Blouin	Kennedy	Norpel	Small
Bray	Kinley	Patton	Stromer
Dunton	Knoke	Pierson	Uban
Egenes	Larson	Radl	Welden
Ewell	Mayberry	Schwartz	Wells
Franklin	McCormick	Shaw	Willits
Gluba			

The nays were, 51:

Alt	Freeman	Millen	Stanley
Andersen	Grassley	Miller	Stokes
Bergman	Hamilton	Moffitt	Strand
Camp	Hansen	Nielsen	Strothman
Campbell	Holden	Nystrom	Taylor
Clark	Husak	Pellett	Tieden
Cochran	Kehe	Priebe	Trowbridge
Curtis	Kreamer	Rodgers	Varley
Dougherty	Kruse	Roorda	Winkelman
Edelen	Lawson	Sargisson	Wirtz
Ellsworth	Logemann	Scott	Wyckoff
Fischer, H. O.	McElroy	Siglin	Mr. Speaker
Fisher, C. R.	Mendenhall	Sorg	

Absent or not voting, 20:

Anania	Goode	Lipsky	Rex
Christensen	Hill	Menefee	Schmeiser
Den Herder	Johnston	Middleswart	Schroeder
Doyle	Kelly	Mollett	Schwieger
Drake	Knoblauch	Pelton	Waugh

The amendment lost.

Blouin of Dubuque asked and received unanimous consent to withdraw the amendment filed by him on January 24, 1972, and found on pages 145 through 153 of the House Journal.

Kehe of Bremer offered the following amendment filed by him:
Amend Senate File 85, as amended and passed by the

Senate, and reprinted, as follows:

1. Page 2A, by striking line 33 and inserting in lieu thereof the following:

“with public agencies of this state to provide all lab-”.

2. Page 2B, line 36, by inserting after the period the following new sentence:

“If the executive director finds that public agencies of this state cannot provide the laboratory, scientific field measurement and environmental evaluation services required by the department, he may contract, with the approval of the executive committee, with any other public or private persons or agencies for such services.”

3. Page 3A, lines 19 and 20, by striking the words “the chemical technology commission,”.

4. Page 3A, by striking lines 22 through 35, inclusive, and inserting in lieu thereof the following: “programs and services assigned to it.

Each commission shall have seven members appointed by the governor with consent of two-thirds of the senate. Three of the appointees shall be selected on the basis of their knowledge and experience as active participants in private enterprise in the resource area to be protected by, or in the problems of preventing, controlling, or abating the type of pollution under the jurisdiction of, the commission to which they are being appointed. The remaining four members of each commission shall be electors of this state. No person shall be appointed to any of the commissions if he is a full-time public employee. The members of each commission shall be appointed for terms of four years, except that three members, designated by the governor, of each initial commission shall be appointed for two-year terms. No member shall be appointed to serve more than two complete four-year terms.”

5. By striking all of page 3B and on page 4, by striking lines 1 through 30, inclusive, and inserting in lieu thereof the following:

“Any commission member may be removed by the governor for cause. The term of office of each member of the commissions shall commence on the first day of July of the year of the appointment. Vacancies occurring during a term of office shall be filled by appointment for the balance of the unexpired term subject to confirmation by two-thirds of the senate.”

6. Page 5, line 4, by striking the word “thirty” and inserting in lieu thereof the word “forty”.

7. Page 5, line 25, by striking the word “four” and inserting in lieu thereof the word “three”.

8. Page 5, line 27, by inserting before the word “and” the words “commissioner of public health, the

dean of college of agriculture, Iowa state university of science and technology.”.

9. Page 10, by striking lines 22 through 26, inclusive, and inserting in lieu thereof the following:

“rule and regulation, the owner or operator of any air contaminant source to establish and maintain such records, make such reports, install, use and maintain such monitoring equipment or methods, sample such emissions in accordance with such methods at such locations and intervals, and using such procedures as the commission shall prescribe, and provide such other information as the commission may reasonably require. Such classifications may be for application to”.

10. Page 20, line 9, by striking the word and number “July, 1971” and inserting in lieu thereof the word and number “January, 1973”.

11. Page 28, line 19, by striking the word “unlawful” and inserting in lieu thereof the word “lawful”.

12. Page 30A, by inserting after line 10 the following new section:

“Sec. 50. In all proceedings with respect to any alleged violation of the provisions of sections thirty-one (31) through forty-nine (49) of this Act or any rule or regulation established by the commission or the department, the burden of proof shall be upon the commission or the department except in an action for contempt as provided in section forty-five (45) of this Act.”

13. Page 31B, line 41, by striking the number “1971” and inserting in lieu thereof the number “1972”.

14. Page 45, by striking lines 15 through 18, inclusive.

15. Page 45, line 21, by striking the word and number “eighty-seven (87)” and inserting in lieu thereof the word and number “eighty-nine (89)”.

16. Page 45, by striking lines 24 through 35, inclusive, all of pages 46 through 61, and on page 62, lines 1 through 15, inclusive.

17. Page 64, lines 7 and 8, by striking the words and figures “two hundred isx (206), two hundred six A (206A),”.

18. Page 64, by striking lines 11, 12, and 13 and inserting in lieu thereof the following:

“Sec. 95. The effective date of this Act shall be the first of January, 1973, except that the governor may, prior to the first of January, 1973, by executive order, appoint the necessary commission”.

19. Page 64, by striking from lines 15 and 16, the words “authorize the executive committee to appoint the executive director,”.

20. Page 64, lines 20 and 21, by striking the word and number "July, 1971" and inserting in lieu thereof the word and number "January, 1973".

21. Page 64, line 23, by striking the word and number "July, 1971" and inserting in lieu thereof the word and number "January, 1973".

22. Page 64, line 31, by striking the word and number "July, 1971" and inserting in lieu thereof the word and number "January, 1973".

23. By renumbering sections and subsections and internal references to sections and subsections to conform to this amendment.

Cochran of Webster offered the following Cochran, et al., amendment to the amendment and moved its adoption:

Amend the Kehe amendment to Senate 85 filed February 7, 1972, as follows:

1. By striking lines 17 through 46 inclusive and by inserting in lieu thereof the following:

"4. Pages 3A and 3B, by striking lines 24 through 48, inclusive, and on page 4, by striking lines 1 through 18, inclusive, and inserting in lieu thereof the following:

'1. The air quality commission shall have seven members appointed by the governor with consent of two-thirds of the senate. Membership shall consist of:

- a. One representative of industry,
- b. One owner-operator of a farm,
- c. One person representing the League of Iowa Municipalities,
- d. One representative of labor,
- e. Three electors of the state.

2. The water quality commission shall have seven members appointed by the governor with consent of members appointed by the governor with consent of two-thirds of the senate. Membership shall consist of:

- a. One representative of industry,
- b. One owner-operator of a farm,
- c. One person representing the League of Iowa Municipalities,
- d. One representative of labor,
- e. Three electors of the state.

3. The solid waste disposal commission shall have seven members appointed by the governor with consent of two-thirds of the senate. Membership shall consist of:

- a. One person actively engaged in the operation of a solid waste disposal site,
- b. One representative of the Iowa State Association of Counties.
- c. One person representing the League of Iowa Municipalities,
- d. One person representing solid waste collectors,
- e. Three electors of the state.'

5. Page 4 by striking lines 19 through 30 inclusive, and inserting in lieu thereof the following:

'Any commission member may be removed by the governor for cause. Members of the commissions shall be appointed by the governor for overlapping terms of four years. Three members shall be appointed for terms to expire two years after appointment. Four members shall be appointed for terms to expire four years after appointment. The term of office of each member of the commissions shall commence on the first day of July of the year of the appointment. Vacancies occurring during a term of office shall be filled by appointment for the balance of the unexpired term subject to confirmation by two-thirds of the senate. No member of any of the commissions shall be a full-time public employee.'

Roll call was requested by Lawson of Cerro Gordo and Varley of Adair.

On the question "Shall the amendment to the amendment be adopted?"

The ayes were, 33:

Anania	Edelen	Patton	Schwartz
Bennett	Fisher, C. R.	Pellett	Scott
Bergman	Husak	Pierson	Siglin
Camp	Knoblauch	Priebe	Stokes
Campbell	McCormick	Radl	Strand
Christensen	Middleswart	Rodgers	Strothman
Cochran	Miller	Sargisson	Wells
Dougherty	Norpel	Schmeiser	Wyckoff
Dunton			

The nays were, 51:

Alt	Gluba	Lawson	Stromer
Andersen	Grassley	Mayberry	Taylor
Blouin	Hamilton	McElroy	Tieden
Clark	Hansen	Mendenhall	Trowbridge
Curtis	Holden	Menefee	Uban
Den Herder	Johnston	Millen	Varley
Drake	Kehe	Moffitt	Waugh
Egenes	Kennedy	Nielsen	Welden
Ellsworth	Kinley	Nystrom	Willits
Ewell	Knoke	Roorda	Winkelman
Fischer, H. O.	Kreamer	Schroeder	Wirtz
Franklin	Kruse	Shaw	Mr. Speaker
Freeman	Larson	Stanley	

Absent or not voting, 16:

Bray	Jesse	Mollett	Schwieger
Doyle	Kelly	Monroe	Skinner
Goode	Lipsky	Pelton	Small
Hill	Logemann	Rex	Sorg

The amendment to the amendment lost.

Campbell of Washington offered the following amendment to the amendment:

Amend the Kehe amendment to Senate File 85, filed February 7, 1972, as follows:

1. Line 20 by inserting after the word "members" the following: ", each of whom shall be a qualified elector,".
2. Line 22 by striking the word "Three" and inserting in lieu thereof the word "Four".
3. By striking all after the period in line 28, all of lines 29 and 30, and through the period in line 31.

Division of the amendment was requested.

Campbell of Washington moved the adoption of amendment 1, lines 1 through 5 of the amendment.

Motion prevailed and amendment 1, lines 1 through 5 was adopted.

Campbell of Washington moved the adoption of amendment 2, lines 6 and 7.

A non-record roll call was requested.

The ayes were 25, nays 45.

Amendment 2, lines 6 and 7 lost.

(Amendment 3, lines 8, 9 and 10 deferred and pending.)

Blouin of Dubuque offered the following amendment filed by him to the Kehe amendment and moved its adoption:

Amend the Kehe amendment, filed February 7, 1972, to Senate File 85, as amended and passed by the Senate and reprinted, as follows:

1. By striking all of lines 22 through 28.
2. By striking from line 29 everything before the word "No".

Roll call was requested by Blouin of Dubuque and Larson of Story.

On the question "Shall the amendment to the amendment be adopted?"

The ayes were, 17:

Anania	Franklin	Kinley	Schwartz
Bennett	Gluba	Larson	Skinner
Blouin	Jesse	Norpel	Small
Bray	Johnston	Patton	Uban
Ewell			

The nays were, 63:

Alt	Grassley	Moffitt	Sorg
Andersen	Hamilton	Monroe	Stanley
Bergman	Hansen	Nielsen	Stokes
Camp	Holden	Nystrom	Strand
Campbell	Husak	Pellett	Strothman
Christensen	Kehe	Pelton	Tieden
Clark	Kelly	Pierson	Trowbridge
Cochran	Knoke	Priebe	Varley
Curtis	Kruse	Rex	Welden
Dougherty	Lawson	Roorda	Wells
Drake	McElroy	Sargisson	Willits
Dunton	Mendenhall	Schmeiser	Winkelman
Edelen	Menefee	Schroeder	Wirtz
Egenes	Middleswart	Scott	Wyckoff
Ellsworth	Millen	Shaw	Mr. Speaker
Fisher, C. R.	Miller	Siglin	

Absent or not voting, 20:

Den Herder	Hill	Logemann	Rodgers
Doyle	Kennedy	Mayberry	Schwieger
Fischer, H. O.	Knoblauch	McCormick	Stromer
Freeman	Kreamer	Mollett	Taylor
Goode	Lipsky	Radl	Waugh

The amendment to the amendment lost.

The House resumed consideration of the Campbell amendment to the Kehe amendment.

Campbell of Washington moved the adoption of amendment 3, lines 8, 9, and 10 of his amendment.

A non-record roll call was requested.

The ayes were 28, nays 54.

Amendment 3 lost.

Pierson of Mahaska asked and received unanimous consent to withdraw the amendment filed by him and Waugh of Monona on February 8, 1972, and found on page 349 of the House Journal.

Speaker pro tempore Millen in the chair at 11:10 a.m.

Cochran of Webster offered the following amendment filed by him to the Kehe amendment and moved its adoption:

Amend the Kehe amendment to Senate File 85 filed February 7, 1972, by striking lines 47 and 48.

The amendment to the amendment was adopted.

Kehe of Bremer moved the adoption of his amendment as amended.

Roll call was requested by Kehe of Bremer and Varley of Adair.

On the question "Shall the Kehe amendment as amended be adopted?"

The ayes were, 80:

Alt	Franklin	McElroy	Scott
Anania	Freeman	Mendenhall	Siglin
Andersen	Gluba	Menefee	Small
Bennett	Grassley	Middleswart	Sorg
Bergman	Hamilton	Miller	Stanley
Blouin	Hansen	Moffitt	Stokes
Bray	Holden	Monroe	Strand
Camp	Husak	Nielsen	Stromer
Campbell	Jesse	Norpel	Strothman
Christensen	Johnston	Nystrom	Taylor
Clark	Kehe	Patton	Tieden
Cochran	Kelly	Pellett	Varley
Curtis	Kinley	Pierson	Welden
Den Herder	Knoblauch	Priebe	Wells
Dougherty	Kreamer	Radl	Willits
Dunton	Kruse	Rodgers	Winkelman
Edelen	Larson	Roorda	Wirtz
Egenes	Lawson	Sargisson	Wyckoff
Ellsworth	Mayberry	Schmeiser	Mr. Speaker
Fischer, H. O.	McCormick	Schwartz	(Millen)
Fisher, C. R.			

The nays were, 5:

Knoke	Rex	Schroeder	Shaw
Logemann			

Absent or not voting, 15:

Doyle	Harbor	Mollett	Trowbridge
Drake	Hill	Pelton	Uban
Ewell	Kennedy	Schwieger	Waugh
Goode	Lipsky	Skinner	

The amendment as amended was adopted.

Fischer of Grundy asked and received unanimous consent to withdraw the amendment filed by him on June 16, 1971, and found on page 2103 of the 1971 House Journal.

Campbell of Washington offered the following amendment filed by him and moved its adoption:

Amend Senate File 85, as amended and passed by the Senate and reprinted, as follows:

1. Page 44A, by inserting after line 17 the following sections:

Sec. 84. As used in sections eighty-five (85) through ninety-three (93) of this Act, unless the context otherwise requires:

1. "Radiation" means any ionizing radiation including, but not limited to, high-speed electrons,

neutrons, protons and other nuclear particles, but not sound waves.

2. "Radioactive material" means any solid, liquid, or gaseous material which emits radiation spontaneously.

3. "Nuclear waste disposal site" means all facilities and appurtenances including all real and personal property connected with such facilities, which are acquired, purchased, constructed, reconstructed, equipped, improved, extended, maintained, or operated to facilitate the final disposition of radioactive waste without creating a significant hazard to the public health or safety, and which are approved by the executive director.

4. "Commission" means solid waste disposal commission of the department.

Sec. 85. The department shall be the agency of the state to establish policy for the transportation, storage, handling, and disposal of radioactive material for the purpose of protecting the public health and safety.

Sec. 86. The commission shall provide, by rule and regulation, for the proper methods of transporting, storage, and handling of radioactive material. In adopting such rules and regulations, the commission shall consider the methods and techniques used by the United States atomic energy commission and radiation control agencies of other states for the regulation of the transporting, handling, and storage of radioactive material. The commission shall also consult with the department of public safety in the development of rules and regulations for the transporting of radioactive material on the public roads of this state. All rules and regulations adopted by the commission under this section shall be subject to the provisions of chapter seventeen A (17A) of the Code and section seven (7), subsection four (4) of this Act.

Sec. 87. The commission may approve or prohibit the establishment and operation of a nuclear waste disposal site in this state by a private person. In determining whether to grant or deny a license to establish and operate a nuclear waste disposal site, the commission shall consider the need for a nuclear waste disposal site and the existing physical conditions, topography, soils and geology, climate, transportation, and land use at the proposed site. If the commission decides to issue a license to establish and operate a nuclear waste disposal site, it shall establish, by rule and regulation, standards and procedures for the safe operation and maintenance of the proposed site. The commission shall also require the licensee to provide a sufficient surety bond or other financial commitment to insure the perpetual maintenance and monitoring of the nuclear waste disposal site.

All rules and regulations adopted by the commission

under this section shall be subject to the provisions of chapter seventeen A (17A) of the Code and section seven (7), subsection four (4) of this Act.

Sec. 88. The executive director:

1. Shall enforce any rules and regulations adopted under the provisions of sections eighty-four (84) through ninety-two (92) of this Act, and furnish a copy of such rules and regulations to each applicant for any license required under sections eighty-four (84) through ninety-three (93) of this Act.

2. May license any person transporting, handling, or storing any radioactive material under rules and regulations adopted by the commission.

3. May require the maintenance of records relating to the receipts, storage, transfer, or disposal of radioactive material.

4. May inspect any nuclear waste disposal site or other facilities relating to the transportation, storage and handling of radioactive materials. The executive director may enter at any reasonable time upon any private or public property for the purpose of determining whether or not a radiation hazard exists, or whether there is compliance with, or violation of, any provisions of sections eighty-four (84) through ninety-two (92) of this Act, or any rules or regulations adopted under sections eighty-four (84) through ninety-three (93) of this Act.

5. May issue, modify, or revoke orders in accordance with the provisions of sections eighty-four (84) through ninety-three (93) of this Act or the rules and regulations adopted under sections eighty-four (84) through ninety-two (92) of this Act.

6. May require the submission of plans and specifications for the design, construction, maintenance, and monitoring of nuclear waste disposal sites for review and appraisal.

Sec. 89. If the executive director determines that there are reasonable grounds to believe a violation of sections eighty-four (84) through ninety-three (93) of this Act or of the rules and regulations issued under sections eighty-four (84) through ninety-three (93) of this Act has occurred, he shall give written notice by certified mail to the alleged violator specifying the alleged violations involved and specifying a period of time in which to eliminate the violation. If the alleged violator fails to comply within such specified time, the executive director shall schedule a hearing and give written notice to the alleged violator by certified mail. In connection with the hearings, the executive director may issue subpoenas requiring the attendance of witnesses and the production of records pertinent to such hearing. On the basis of the findings, the executive director shall issue a final order which

shall be forwarded to the alleged violator by certified mail.

Sec. 90. Whenever the executive director finds that an emergency exists requiring immediate action to protect the public health and safety, he may, without notice or hearing, issue an emergency order reciting that an emergency exists and requiring that such action be taken as he deems necessary to meet the emergency. The order may be issued orally to the person whose operation constitutes the emergency by the executive director and confirmed by a copy of such order to be sent by certified mail within twenty-four hours after the issuance of the oral order. The emergency order shall be effective immediately. Any person receiving an emergency order may request a hearing before the commission within thirty days following the receipt of the order. The commission shall schedule a hearing within fourteen days after receipt of the request for a hearing and give written notice to the alleged violator by certified mail. The commission may also schedule a hearing in the absence of a request by the alleged violator. On the basis of the findings, the commission shall issue a final order which shall be forwarded to the alleged violator by certified mail.

The executive director may, if an emergency exists, impound or order the impounding of any radioactive material in the possession of any person who is not equipped to observe, or fails to observe, the provisions of sections eighty-four (84) through ninety-three (93) of this Act or any rules or regulations adopted under sections eighty-four (84) through ninety-three (93) of this Act.

Sec. 91. An appeal may be taken from any final order of the commission to the district court of the county in which the alleged violation was committed or such final order was entered. Notice of appeal from a final order shall be served upon the executive director by certified mail. Failure to serve the notice of appeal within thirty days after receipt of the final order shall operate as a waiver of the right of appeal. A final order by the commission shall not be stayed by an appeal except by order of the district court after hearing for good cause shown by the alleged violator. The hearing on appeal shall be tried as a suit in equity. The court may receive additional testimony and evidence and may affirm, modify, or reverse the final order of the commission.

Sec. 92. Whenever, in the judgment of the executive director, any person has engaged in or is about to engage in any acts or practices which constitute or will constitute a violation of the provisions of sections eighty-four (84) through ninety-three (93) of this Act, or any rule, regulation, or order promulgated under

sections eighty-four (84) through ninety-three (93) of this Act, he may request the attorney general to make application in the name of the state to the district court of the county in which such acts or practices may be performed, for an order enjoining such acts or practices notwithstanding the existence or pursuit of any other remedy, and the attorney general shall make such application.

Sec. 93. Any person who violates any provisions of sections eighty-four (84) through ninety-three (93) of this Act or rules or regulations adopted under sections eighty-four (84) through ninety-three (93) of this Act, or any order of the commission or executive director issued pursuant to sections eighty-four (84) through ninety-three (93) of this Act, shall be punished by a fine of not more than five hundred dollars or by imprisonment not to exceed six months or punished by both such fine and imprisonment and, in addition, he may be enjoined from continuing such violation. Each day of continued violation after notice that a violation is being committed shall constitute a separate violation.

2. By renumbering sections and subsections and internal references to sections and subsections to conform to this amendment.

The amendment was adopted.

Miller of Marshall offered the following amendment filed by her and Campbell of Washington:

Amend Senate File 85 as passed and reprinted by the Senate, page 45, line 14, by inserting after the word "gathering" the following words " , or may suspend for not more than seven days the driver's license of any driver who is convicted of, or is responsible for, discarding litter from a motor vehicle."

Kehe of Bremer rose on a point of order that the amendment was not germane.

The Speaker ruled the point not well taken and the amendment germane.

Miller of Marshall moved the adoption of the Miller-Campbell amendment.

A non-record roll call was requested.

The ayes were 56, nays 18.

The amendment was adopted.

Lawson of Cerro Gordo offered the following amendment filed by him:

Amend Senate File 85, as amended and passed by the Senate, as follows:

1. Page 2A, line 16, by inserting after the period the following new sentence:

"The salary of the executive director shall be established by the governor, but it shall not exceed twenty-five thousand dollars per annum."

2. Page 6A, by striking line 20.

3. Page 15, by striking from line 11 the word and number "eighteen (18)" and inserting in lieu thereof the word and number "seventeen (17)".

4. Page 20, line 35, by inserting before the word "commission" the words "air quality".

5. Page 23A, line 18, by inserting after the comma the word "and".

6. Page 23A, lines 19 and 20, by striking the words "and the ingredients in the package."

7. Page 38, line 33, by inserting before the word "commission" the words "water quality".

8. Page 45, line 20, by inserting before the word "commission" the words "solid waste disposal".

9. Page 45, line 21, by striking the word and number "eighty-seven (87)" and inserting in lieu thereof the word and number "eighty-nine (89)".

10. Page 62, line 2, by inserting before the word "commission" the words "chemical technology".

11. Page 62, line 8, by striking the words and number "two hundred (200)".

12. Page 62, line 9, by striking the comma after the number "(206)".

13. By renumbering the sections and subsections to conform to this amendment.

Division of the amendment was requested.

Lawson of Cerro Gordo asked and received unanimous consent that amendments 9, 10, 11 and 12, lines 22 through 30 be withdrawn.

Lawson of Cerro Gordo moved the adoption of amendments 1, 2, 3 and 4, lines 1 through 13; amendments 7 and 8, lines 18 through 21; and amendment 13, lines 31 and 32 of his amendment.

Amendments 1, 2, 3, 4, 7, 8 and 13 were adopted.

Blouin of Dubuque offered the following amendment filed by him and moved that it be substituted for amendments 5 and 6 of the Lawson amendment:

Amend Senate File 85, page 23A, by striking lines 14 through 20 and inserting in lieu thereof the following:

"5. Establish, modify, or repeal rules and regulations governing the labeling of detergents. Any rules and regulations shall be formulated to provide potential purchasers with accurate information concerning the percent phosphorus and phosphate in the formula giving equal display to both, the weight in grams of phosphorus and phosphate per recommended use level and the packaged ingredients which the commission may deem potentially harmful to the environment."

The motion prevailed.

Blouin of Dubuque moved the adoption of his substitute amendment.

Roll call was requested by Blouin of Dubuque and Kehe of Bremer.

On the question "Shall the substitute amendment be adopted?"

The ayes were, 28:

Anania	Ewell	Knoblauch	Patton
Bennett	Franklin	Knoke	Sargisson
Blouin	Gluba	Larson	Schwartz
Bray	Jesse	Mayberry	Skinner
Cochran	Johnston	McCormick	Small
Dougherty	Kennedy	Monroe	Uban
Dunton	Kinley	Norpel	Wells

The nays were, 55:

Alt	Grassley	Nielsen	Stanley
Andersen	Hamilton	Nystrom	Stokes
Bergman	Hansen	Pellett	Strand
Camp	Holden	Pelton	Strothman
Campbell	Kehe	Pierson	Taylor
Christensen	Kreamer	Priebe	Tieden
Clark	Kruse	Rex	Trowbridge
Curtis	Lawson	Rodgers	Varley
Den Herder	Logemann	Roorda	Welden
Doyle	McElroy	Schroeder	Winkelman
Drake	Mendenhall	Scott	Wirtz
Ellsworth	Menefee	Shaw	Wyckoff
Fisher, C. R.	Miller	Siglin	Mr. Speaker
Freeman	Moffitt	Sorg	(Millen)

Absent or not voting, 17:

Edelen	Hill	Middleswart	Schwieger
Egenes	Husak	Mollett	Stromer
Fischer, H. O.	Kelly	Radl	Waugh
Goode	Lipsky	Schmeiser	Willits
Harbor			

The substitute amendment lost.

The House resumed consideration of amendments 5 and 6 of the Lawson amendment.

EXPUNGED BY ORDER OF THE HOUSE

W. R. Kendrick, Chief Clerk

Blouin of Dubuque rose on a point of order that with the action on the substitute amendment, amendments 5 and 6 of the Lawson amendment were out of order.

The Speaker ruled the point not well taken and the amendments in order.

Blouin of Dubuque moved to appeal the ruling of the Chair.

A non-record roll call was requested.

The ayes were 20, nays 59.

Motion lost and the ruling of the Chair was sustained.

Lawson of Cerro Gordo moved the adoption of amendments 5 and 6, lines 14 through 17 of his amendment.

Amendments 5 and 6 were adopted.

Cochran of Webster offered the following amendment filed by him and moved its adoption:

Amend Senate File 85 as passed and reprinted by the Senate, page 6A, line 5, by striking the word "forty" and inserting in lieu thereof "thirty".

The amendment was adopted.

Pierson of Mahaska asked and received unanimous consent that the following amendments filed by him and Waugh of Monona be withdrawn: two amendments filed on June 14, 1971, and found on page 2046 of the House Journal; and amendment filed on June 17, 1971, and found on page 2147 of the House Journal.

Fischer of Grundy asked and received unanimous consent to refile the amendment filed by him on June 16, 1971, and withdrawn on February 9, 1972.

Fischer of Grundy offered the following amendment refiled by him and moved its adoption:

Amend Senate File 85, as amended and passed by the Senate and reprinted as follows:

1. Page 3A, line 6, by striking the word "legal".
2. Page 10, line 17, by inserting after the word "instituted", the words "by the attorney general at the request of the commission".

The amendment was adopted.

Kehe of Bremer moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 85)

The ayes were, 63:

Alt	Fischer, H. O.	McElroy	Scott
Anania	Freeman	Mendenhall	Siglin
Andersen	Gluba	Menefee	Sorg
Bennett	Grassley	Middleswart	Strand
Bergman	Hamilton	Miller	Stromer
Christensen	Hansen	Moffitt	Strothman
Clark	Harbor	Norpel	Taylor
Cochran	Hill	Nystrom	Tieden
Curtis	Holden	Patton	Trowbridge
Den Herder	Husak	Pellett	Varley
Dougherty	Kehe	Pelton	Wells
Doyle	Kinley	Pierson	Winkelman
Drake	Knoblauch	Priebe	Wirtz
Dunton	Kreamer	Rodgers	Wyckoff
Edelen	Kruse	Roorda	Mr. Speaker
Ellsworth	McCormick	Sargisson	(Millen)

The nays were, 29:

Blouin	Johnston	Monroe	Shaw
Bray	Kennedy	Nielsen	Skinner
Camp	Knoke	Radl	Small
Campbell	Larson	Rex	Stanley
Ewell	Lawson	Schmeiser	Stokes
Fisher, C. R.	Logemann	Schroeder	Welden
Franklin	Mayberry	Schwartz	Willits
Jesse			

Absent or not voting, 8:

Egenes	Kelly	Mollett	Uban
Goode	Lipsky	Schwieger	Waugh

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

Kehe of Bremer moved to reconsider the vote by which Senate File 85 passed the House and that the motion to reconsider be tabled.

A non-record roll call was requested.

The ayes were 42, nays 40.

The motion prevailed.

JOURNAL RECORD EXPUNGED

Skinner of Polk moved to expunge from the records of the Journal the Blouin point of order in appealing the ruling of the chair.

The motion prevailed.

HOUSE FILE 269 WITHDRAWN

Lawson of Cerro Gordo asked and received unanimous consent to withdraw **House File 269** from further consideration by the House.

REPORTS OF COMMITTEES

Fisher of Greene, from the committee on state government, submitted the following report:

MR. SPEAKER: Your committee on state government to whom was referred **House File 1127**, a bill for an act relating to the possession and consumption of alcoholic liquors and beer on school grounds, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same **be amended as follows, and when so amended the bill do pass:**

Amend House File 1127 as follows:

1. Page 1, line 12, by striking the words "*or private*".
2. Page 1, line 15, by adding after the period the following sentence:

"As used in this section 'public school' means a public school which provides teaching for any grade from kindergarten through grade twelve."

3. Page 1, line 1 of the title, by adding after the word "to" the words "a penalty for".

FISHER of Greene, Chairman

Pelton of Clinton, from the committee on judiciary, submitted the following reports:

MR. SPEAKER: Your committee on judiciary, to whom was referred **House File 270**, a bill for an act relating to the operation of aircraft, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same **do pass.**

PELTON of Clinton, Chairman

Also:

MR. SPEAKER: Your committee on judiciary, to whom was referred **House File 1074**, a bill for an act to legalize and validate proceedings of

the Board of Directors of the United Community School District in the Counties of Boone and Story, State of Iowa, authorizing and providing for the sale and issuance of school building bonds and for the levy of taxes for the payment of said bonds and declaring the bonds issued pursuant to said proceedings, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same **do pass**.

PELTON of Clinton, Chairman

Holden of Scott, from the committee on social services, submitted the following report:

MR. SPEAKER: Your committee on social services, to whom was referred **House File 743**, a bill for an act to create an alcoholism rehabilitation fund by imposing a tax on consumers of alcoholic beverages and to provide for the use of the funds for the rehabilitation of alcoholics, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same **be amended as follows, and when so amended the bill do pass:**

1 Amend House File 743, as follows:

2 1. By striking everything after the enacting clause
3 and inserting in lieu thereof the following new sec-
4 tion:

5 "Section 1. Chapter one hundred thirty-one (131),
6 section fifty-three (53), subsection three (3), Acts
7 of the Sixty-fourth General Assembly, First Session,
8 is amended by striking the subsection and inserting in
9 lieu thereof the following:

10 3. The treasurer of state shall semiannually dis-
11 tribute a sum of money equal to ten percent of the gross
12 sales made by the state liquor stores in amounts as
13 follows:

14 a. Nine percent thereof to the cities and towns
15 of the state. Such amount shall be distributed to the
16 cities and towns of the state in proportion to the pop-
17 ulation that each incorporated city or town bears to
18 the total population of all incorporated cities and
19 towns of the state as computed by the latest federal
20 census. A city or town may have one special federal
21 census taken each decade, and the population figure
22 thus obtained shall be used in apportioning amounts
23 under this subsection beginning the calendar year
24 following the year in which the special census is
25 certified by the secretary of state. Such apportionment
26 shall be made semiannually as of July first and January
27 first of each year. Warrants for the same shall be
28 issued by the state comptroller upon certification of
29 the treasurer of state and mailed to the city clerk
30 of each incorporated city and town of the state and
31 shall be made payable to such incorporated city or town
32 and shall be subject to expenditure under the direction
33 of the city council or other governing bodies of such
34 incorporated city or town for any lawful municipal
35 purpose. It shall be a lawful municipal purpose for
36 cities and towns to allocate a portion of the above

37 funds for the purpose of financing the activities of
 38 a city or town commission or committee on alcoholism,
 39 such commission or committee to be appointed by the
 40 mayor or by the council or both. The commission or
 41 committee may use any funds so allocated for the
 42 treatment, rehabilitation, and education of alcoholics
 43 in Iowa.

44 b. One percent thereof shall be allocated and paid
 45 quarterly to each county treasurer of those counties
 46 which participate in alcohol rehabilitation programs
 47 by agreement with the alcoholism service center for
 48 their area. The funds shall be distributed in an amount
 49 determined by dividing the total population of each
 50 county by the total population of the state according
 51 to the latest federal decennial census.

52 c. Revenues allocated and paid pursuant to the pro-
 53 visions of paragraph a of this subsection shall be used
 54 for the following purposes:

55 (1) The rehabilitation of alcoholics pursuant to
 56 the provisions of chapter one hundred twenty-three B
 57 (123B) of the Code.

58 (2) The implementation of new alcoholic treatment
 59 procedures and services.

60 The expenditure of funds by county boards of super-
 61 visors shall be reviewed by the Iowa commission on
 62 alcoholism.

63 d. The provisions of section eight point thirty-
 64 three (8.33) of the Code shall apply to the funds
 65 distributed pursuant to paragraph a of this subsection,
 66 and such funds shall revert to the general fund of the
 67 state."

HOLDEN of Scott, Chairman

AMENDMENTS FILED

1 Amend the Senate amendment to House File 69 by strik-
 2 ing lines 2 through 19 and inserting in lieu thereof
 3 the following:

4 1. Page 1 by adding after line 5 the following:

5 Sec. 2. There is created in the office of the
 6 treasurer of state a fund to be known as "the county
 7 indemnification fund" to be used to indemnify and pay
 8 on behalf of each county treasurer, recorder, auditor,
 9 attorney, clerk of court and sheriff, and any deputies,
 10 assistants or employees in such offices, all sums that
 11 said officers' deputies, assistants or employees are
 12 legally obligated to pay because of their negligent
 13 acts, errors or omissions. Funds from the county
 14 indemnification fund shall be used to pay any loss
 15 actually sustained because of theft, embezzlement or
 16 misappropriation of any public funds under the care,
 17 custody and control of any county officer, deputy,
 18 assistant, or employee.

19 This Act shall not be deemed to extend the liability
 20 of a governmental subdivision exempted under the

21 provisions of section six hundred thirteen A point four
22 (613A.4) of the Code, and the fund established by this
23 section shall not be considered insurance under the
24 provisions of section six hundred thirteen A point seven
25 (613A.7) of the Code.

26 The county indemnification fund shall not be used
27 to pay premiums on any official or private bonds.

28 The establishment of the fund provided by this Act
29 shall not relieve any insurer issuing insurance under
30 the provisions of section six hundred thirteen A point
31 seven (613A.7) of the Code or any surety on a bond re-
32 quired by chapter sixty-four (64) of the Code from pay-
33 ing any loss incurred thereunder; nor shall any such
34 insurer or surety be subrogated to any of the assets
35 of the fund established by this Act regardless of any
36 provisions in such policy of insurance or bond.

37 Sec. 3. This Act shall not relieve county officers
38 or employees from giving official or private bonds
39 required under the provisions of chapter sixty-four
40 (64) of the Code.

41 Sec. 4. The board of supervisors of each county
42 shall levy in 1972 and annually thereafter for three
43 consecutive years a tax of two-hundredths of a mill
44 against the assessed value of the taxable property of
45 the county, to be collected at the same time and in
46 the same manner as other property taxes and the proceeds
47 of the levy shall be deposited in the county
48 indemnification fund.

49 Thereafter, if the balance in the fund on June 30
50 of any year is less than three hundred thousand dollars,
51 the treasurer of state shall notify the board of
52 supervisors of each county to again levy for that year
53 a two-hundredths mill levy to be collected with other
54 taxes in the next calendar year.

55 Sec. 5. Not later than the fifteenth of June or
56 the fifteenth day of December of each year in which
57 the tax is collected, the county auditor shall transmit
58 the amount of the tax levied, by warrant, to the
59 treasurer of state who shall credit it to the county
60 indemnification fund. The treasurer of state shall
61 invest any moneys in the fund in the same manner as
62 other public funds and shall credit any interest received
63 from that investment to the county indemnification fund.

64 Sec. 6. Any claim for any negligent act, error,
65 or omission of a county treasurer, recorder, auditor,
66 attorney, clerk of court, sheriff, or any deputy, assist-
67 ant or employee in such offices, committed after July
68 1, 1973, shall be processed and paid from such fund
69 in accordance with the provisions of chapter twenty-
70 five A (25A) of the Code, except that any payment of
71 a claim, except a judgment, in excess of one thousand
72 dollars shall have the unanimous approval of all members
73 of the state appeal board, the attorney general, and
74 the district court of Polk County.

75 Sec. 7. If a judgment is obtained against the county
 76 treasurer, recorder, auditor, attorney, clerk of court
 77 or sheriff, or any deputies, assistants, or employees
 78 in such offices for an act committed subsequent to July
 79 1, 1973, which is payable from the county indemnification
 80 fund, the county attorney shall ascertain if any
 81 insurance policy or official or private bond exists
 82 covering the error or omission committed. If no
 83 insurance or bond exists, or if the judgment exceeds
 84 the limits of such insurance or bond, the county attorney
 85 shall submit a claim to the state comptroller against
 86 the county indemnification fund on behalf of the
 87 plaintiff to the action for the amount of the judgment
 88 exceeding the amount recoverable by reason of such
 89 insurance or bond. The state comptroller shall promptly
 90 issue a warrant payable to the plaintiff for such amount,
 91 and the treasurer of state shall pay the warrant.

92 Sec. 8. When a loss is sustained by the county as
 93 the result of a theft, embezzlement or misappropria-
 94 tion committed subsequent to July 1973, of a county
 95 treasurer, recorder, auditor, attorney, clerk of court
 96 or sheriff, or any deputies, assistants, or employees
 97 in such offices the amount of the loss which is to be
 98 replaced shall be determined by the auditor of state
 99 from a full and detailed audit made by him or under
 100 his authority, of the accounts in question of such of-
 101 ficers, deputies, assistants, or employees in their
 102 office, which examination shall be reduced to writing
 103 and filed with the state comptroller. The state comp-
 104 troller shall promptly issue a warrant payable to the
 105 county for such amount, and the treasurer of state shall
 106 pay the warrant. If any amount is subsequently recovered
 107 by the county from any source, the county treasurer
 108 shall pay such amounts to the treasurer of state for
 109 deposit in county indemnification fund.

110 Sec. 9. Effective July 1, 1973, sections three
 111 hundred thirty-four point thirteen (334.13) through
 112 three hundred thirty-four point twenty-two (334.22),
 113 inclusive, Code 1971, are repealed.

SCHROEDER of Pottawattamie

1 Amend the Senate amendment to House File 412 as
 2 follows:
 3 1. Strike lines 8, 9 and 10 and insert in lieu
 4 thereof the following:
 5 "of general application that implements or inter-
 6 prets law or policy, or the amendment,".
 7 2. Strike lines 21 and 22 and insert in lieu thereof
 8 the following:
 9 "Sec. 2. The rules review committee shall at the
 10 request of any standing committee of the general
 11 assembly, or may on its own motion, require a depart-

12 ment to meet with the rules review committee to
13 discuss".

SHAW of Scott
GRASSLEY of Butler
WELDEN of Hardin

1 Amend House File 1128 by adding the following new section:
2 Sec. 4. Section five hundred fifteen point ninety (515.90),
3 Code, 1971 is repealed.

VARLEY of Adair

1 Amend House File 1147 as follows:
2 1. Page 2, line 18, after the word "county"
3 insert the words ", including registration records,".
4 2. Page 14, line 12, by inserting after the word
5 "fix" the words "or cause to be fixed".
6 3. Page 14, line 15, by inserting after the period
7 the following:
8 "*The state commissioner of elections may request the*
9 *services of personnel of the legislative service*
10 *bureau and material available to the legislative*
11 *service bureau for the purpose of fixing the boundar-*
12 *ies of election precincts as provided in this section."*

DRAKE of Muscatine

1 Amend House File 1147 as follows:
2 Page 2, line 4, by inserting after the period the
3 following:
4 There is established within the office of the secre-
5 tary of state a division of elections which shall be
6 under the direction of the state commissioner of elec-
7 tions. The state commissioner of elections may appoint
8 a person to be in charge of the division of elections
9 who shall perform such duties as may be assigned to
10 him by the state commissioner of elections.

CAMP of Clinton
DRAKE of Muscatine

1 Amend House File 1147 as follows:
2 1. Page 19, by adding after line 16 the follow-
3 ing new paragraph:
4 "The county commissioner of elections shall set
5 the convening time for the absentee ballot counting
6 board allowing a reasonable amount of time to com-
7 plete counting the absentee ballots prior to closing
8 of the polls."
9 2. Page 19, by adding after line 21, the follow-
10 ing new paragraph:
11 "The room occupied by the absentee ballot count-
12 ing board shall be policed in such manner as to pre-
13 vent any person from obtaining information regarding
14 the progress of the count before the polls are closed.
15 No person shall be admitted into the room where such

- 16 ballots are being counted until the polls are closed
17 except the absentee ballot counting board, one chal-
18 lenger representing each political party, and the
19 county commissioner of elections."
20 3. Page 19, by inserting after the word "closed"
21 in line 30 a period and quotation marks.
22 4. Page 19, by striking all of line 31.

TAYLOR of Dubuque
MONROE of Des Moines
DRAKE of Muscatine

- 1 Amend Senate File 356, page 4, line 14, by striking
2 the words "*or a certified copy of the records of*" and
3 by inserting in lieu thereof the words, "*and a cer-*
4 *tified statement by the commissioner of public safety*
5 *that no application by the accused for a current per-*
6 *mit in any county is on file with*".

UBAN of Black Hawk

On motion by Varley of Adair, the House adjourned until
9:00 a.m., Thursday, February 10, 1972.

JOURNAL OF THE HOUSE

Thirty-second Calendar Day—Twenty-fourth Session Day

HALL OF THE HOUSE OF REPRESENTATIVES
DES MOINES, IOWA, THURSDAY, FEBRUARY 10, 1972

The House met pursuant to adjournment, Speaker Harbor in the chair.

Prayer was offered by the Reverend Glen Lamb, pastor of the First United Methodist Church, Marion, Iowa.

The Journal of Wednesday, February 9, 1972, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. James R. Bell, Des Moines, Iowa.

PRESENTATION OF VISITORS

Varley of Adair presented to the House the Honorable Eldon Stroburg, former member of the House during the Sixty-third General Assembly, First and Second Sessions, representing Taylor and Ringgold Counties.

PETITION FILED

The following petition was received and placed on file:

By Christensen of Union, from seventy-eight residents of Decatur and Ringgold Counties favoring studded snow tires.

ADOPTION OF COMMITTEE REPORTS

The Chief Clerk announced the adoption of reports of committees on House File 270, 743, 1074 and 1127, under Rule 35.

INTRODUCTION OF BILLS

House File 1172, by Ellsworth, a bill for an act relating to the time of payment of inheritance taxes.

Read first time and referred to committee on ways and means.

House File 1173, by Welden, a bill for an act to create a state transportation planning commission.

Read first time and referred to committee on **transportation**.

House File 1174, by Andersen, a bill for an act to create a system of intermediate educational service districts for the purpose of performing administrative and supervisory services and with furnishing educational programs to school districts in connection with public elementary, secondary, and special education and to perform governmental functions, adopt budgets, and certify taxes in the manner generally provided by law in the case of county school systems.

Read first time and referred to committee on **schools**.

House File 1175, by committee on ways and means, a bill for an act to change the fiscal year of cities and towns, counties, and other political subdivisions.

Read first time and **placed on the calendar**.

House File 1176, by committee on environmental preservation, a bill for an act relating to the department of soil conservation.

Read first time and **placed on the calendar**.

SENATE MESSAGE CONSIDERED

Senate File 1008, a bill for an act relating to bank holding companies, bank offices, certain real estate loans by state banks, and fees paid by state banks for management, financial advice, consultation or services, and prescribing penalties for violations.

Read first time and referred to committee on **commerce**.

CONSIDERATION OF BILLS

REGULAR CALENDAR

House File 1071, a bill for an act to legalize the indebtedness of the Audubon County Agricultural Society and to provide an annual tax to pay said indebtedness, with report of committee recommending amendment and passage was taken up for consideration.

Pellett of Cass asked and received unanimous consent to withdraw the amendment filed by him on February 2, 1972, and found on page 263 of the House Journal.

Pellett of Cass offered the following amendment filed by the committee on judiciary and moved its adoption:

Amend House File 1071 as follows:

1. Page 1, by striking lines 4 through 18, inclusive.

2. Page 1, by striking lines 20 through 25, inclusive.

3. Page 2, by striking line 1 and inserting in lieu thereof the following:

"Section 1. The forty-three thousand (43,000) dollar expenditure made by the Audubon county agricultural society for improvement to the fairgrounds and a levy in 1970, for the fairground fund pursuant to section one hundred seventy-four point seventeen (174.17) of the Code, is hereby legalized. Under the provisions of section one hundred seventy-four point seventeen (174.17) of the Code, the board of supervisors of Audubon county may continue the levy to pay the indebtedness of the Audubon county agricultural society incurred prior to the effective date of this Act, until said indebtedness, plus interest, is paid."

4. Page 1, line 2, by striking from the title the word "provide" and inserting in lieu thereof the word "authorize".

The amendment was adopted.

Pellett of Cass moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1071)

The ayes were, 83:

Alt	Grassley	Mendenhall	Skinner
Anania	Hamilton	Menefee	Small
Andersen	Hansen	Middleswart	Sorg
Bergman	Hill	Millen	Stanley
Blouin	Holden	Miller	Stokes
Bray	Husak	Moffitt	Strand
Camp	Jesse	Norpel	Stromer
Campbell	Kehe	Nystrom	Strothman
Christensen	Kelly	Patton	Taylor
Clark	Kennedy	Pellett	Trowbridge
Curtis	Kinley	Pelton	Uban
Den Herder	Knoblauch	Pierson	Varley
Dougherty	Knoke	Radl	Waugh
Doyle	Kreamer	Rodgers	Welden
Drake	Kruse	Roorda	Wells
Ellsworth	Larson	Sargisson	Willits
Ewell	Lawson	Schroeder	Winkelman
Fisher, C. R.	Logemann	Schwartz	Wirtz
Franklin	Mayberry	Scott	Wyckoff
Freeman	McCormick	Shaw	Mr. Speaker
Gluba	McElroy	Siglin	

The nays were, 4:

Monroe	Priebe	Rex	Schmeiser
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Absent or not voting, 13:

Bennett	Egenes	Johnston	Nielsen
Cochran	Fischer, H. O.	Lipsky	Schwieger
Dunton	Goode	Mollett	Tieden
Edelen			

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

Speaker pro tempore Millen in the chair at 10:31 a.m.

House File 1147, a bill for an act relating to the election laws and providing penalties for violations thereof, was taken up for consideration.

Camp of Clinton offered the following amendment filed by him and Drake of Muscatine and moved its adoption:

Amend House File 1147 as follows:

Page 2, line 4, by inserting after the period the following:

There is established within the office of the secretary of state a division of elections which shall be under the direction of the state commissioner of elections. The state commissioner of elections may appoint a person to be in charge of the division of elections who shall perform such duties as may be assigned to him by the state commissioner of elections.

The amendment was adopted.

Drake of Muscatine offered the following amendment filed by him and moved its adoption:

Amend House File 1147 as follows:

1. Page 2, line 18, after the word "county" insert the words ", including registration records,".

2. Page 14, line 12, by inserting after the word "fix" the words "or cause to be fixed".

3. Page 14, line 15, by inserting after the period the following:

"The state commissioner of elections may request the services of personnel of the legislative service bureau and material available to the legislative service bureau for the purpose of fixing the boundaries of election precincts as provided in this section."

The amendment was adopted.

Drake of Muscatine offered the following amendment filed by him and moved its adoption:

Amend House File 1147 as follows:

1. Page 8, by striking all of line 7 and inserting in lieu thereof the following: "will be a qualified elector on the day of the next known election."

2. Page 10, line 34, by striking the words "a receipt" and inserting in lieu thereof the words "a receipt".

3. Page 11, line 34, by inserting after the word "age" the following: ", or the finding of mental illness in a person of voting age".
4. Page 14, line 33, by inserting a period after the word "ballot".
5. Page 14, by striking all of lines 34 and 35.
6. Page 15, by striking all of lines 1 through 5.
7. Page 16, line 34, by striking the word "computerized" and inserting in lieu thereof the word "[computerized]".
8. Page 18, by striking from lines 23 and 24 the words "the reverse side of".
9. Page 21, line 20, by striking the word "vote" and inserting in lieu thereof the word "votes".

The amendment was adopted.

Taylor of Dubuque asked and received unanimous consent to withdraw the Taylor, et al., amendment filed on February 8, 1972, and found on page 350 of the House Journal.

Taylor of Dubuque offered the following Taylor-Monroe-Drake amendment:

Amend House File 1147 as follows:

1. Page 19, by adding after line 16 the following new paragraph:
"The county commissioner of elections shall set the convening time for the absentee ballot counting board allowing a reasonable amount of time to complete counting the absentee ballots prior to closing of the polls."
2. Page 19, by adding after line 21, the following new paragraph:
"The room occupied by the absentee ballot counting board shall be policed in such manner as to prevent any person from obtaining information regarding the progress of the count before the polls are closed. No person shall be admitted into the room where such ballots are being counted until the polls are closed except the absentee ballot counting board, one challenger representing each political party, and the county commissioner of elections."
3. Page 19, by inserting after the word "closed" in line 30 a period and quotation marks.
4. Page 19, by striking all of line 31.

Schroeder of Pottawattamie offered the following amendment to the amendment and moved its adoption:

Amend the Taylor, et al., amendment filed February 9, 1972, as follows:

Line 19, by adding after the word "elections" the words ", or his designee".

The amendment to the amendment was adopted.

Taylor of Dubuque moved the adoption of the amendment as amended.

The amendment as amended was adopted.

Ewell of Black Hawk offered the following amendment from the floor:

Amend House File 1147, page 20, by adding after line 19 the following new paragraphs:

"A person elected to a public office of the state or its political subdivisions shall, upon application to his employer, be granted a leave of absence from his regular employment. Upon receiving proof of election or reelection, the employer shall grant the leave of absence for the period of time that is required to carry out the duties of public office. The leave of absence shall be granted without a loss of position or status.

The leave of absence for a person regularly employed pursuant to the provisions of Chapter nineteen A (19A), of the Code, shall be according to the provisions of section nineteen A point eighteen (19A.18), of the Code."

Small of Johnson offered the following amendment to the amendment, from the floor, filed by him and Gluba of Scott and moved its adoption:

Amend the Ewell amendment to House File 1147, filed February 10, 1972, line 3, by inserting after the word "person" the words "who has filed for or has been nominated or".

The amendment to the amendment lost.

Radl of Linn rose on a point of order that the Ewell amendment was not germane.

The Speaker ruled the point not well taken and the amendment germane.

Ewell of Black Hawk moved the adoption of his amendment.

Roll call was requested by Ewell of Black Hawk and Bennett of Polk.

On the question "Shall the amendment be adopted?"

The ayes were, 41:

Anania	Franklin	Logemann	Scott
Andersen	Gluba	Mayberry	Siglin
Bennett	Husak	McCormick	Skinner
Blouin	Jesse	Middleswart	Small
Bray	Johnston	Monroe	Taylor
Christensen	Kennedy	Norpel	Tieden
Dougherty	Kinley	Patton	Uban
Doyle	Knoblauch	Rodgers	Wells
Dunton	Larson	Schmeiser	Willits
Egenes	Lawson	Schwartz	Wyckoff
Ewell			

The nays were, 47:

Alt	Grassley	Miller	Stokes
Bergman	Hamilton	Moffitt	Strand
Camp	Hansen	Nielsen	Stromer
Campbell	Holden	Nystrom	Strothman
Clark	Kehe	Pelton	Trowbridge
Curtis	Kelly	Radl	Varley
Den Herder	Knoke	Rex	Waugh
Drake	Kreamer	Roorda	Welden
Edelen	Kruse	Sargisson	Winkelman
Ellsworth	McElroy	Schroeder	Wirtz
Fisher, C. R.	Mendenhall	Shaw	Mr. Speaker
Freeman	Menefee	Stanley	(Millen)

Absent or not voting, 12:

Cochran	Harbor	Mollett	Priebe
Fischer, H. O.	Hill	Pellett	Schwieger
Goode	Lipsky	Pierson	Sorg

The amendment lost.

Skinner of Polk offered the following amendment from the floor:

Amend House File 1147 as follows:

1. Page 3, by striking lines 30 through 35, inclusive.
2. Page 4, by striking lines 1 through 11, inclusive.
3. Page 14, by striking lines 29 through 35, inclusive.
4. Page 15, by striking lines 1 through 5, inclusive.
5. Page 19, by striking lines 32 through 35, inclusive.
6. Page 20, by striking lines 1 through 7, inclusive.
7. Page 20, by striking lines 20 through 35, inclusive.
8. Page 21, by striking lines 1 through 16, inclusive.
9. Page 21, by striking from lines 24, 25, and 26, the words and figures "thirty-nine point twenty-two (39.22), thirty-nine point twenty-three (39.23), forty-three point twenty-one (43.21), forty-three point fifty-three (43.53)."
10. Page 21, by striking from lines 32 and 33 the words and figures "forty-nine point twenty-seven (49.27), forty-nine point fifty-two (49.52)."
11. Page 22, by striking from lines 3, 4, 5, and 6, the

words and figures "three hundred fifty-nine point eleven (359.11), three hundred fifty-nine point twelve (359.12), three hundred fifty-nine point thirteen (359.13), three hundred fifty-nine point twenty-two (359.22),".

13 Renumber sections and correct internal references in accordance with this amendment.

(House File 1147 and Skinner amendment pending at recess.)

The House was recessed until 1:30 p.m.

AFTERNOON SESSION

The House reconvened, Speaker pro tempore Millen in the chair.

The House resumed consideration of **House File 1147** and the Skinner amendment.

Skinner of Polk moved the adoption of his amendment.

A non-record roll call was requested.

The ayes were 54, nays 28.

The amendment was adopted.

Hansen of Black Hawk offered the following amendment from the floor, filed by him, Kelly of Woodbury and Kreamer of Polk, and moved its adoption:

Amend House File 1147 as follows:

1. Page 2, line 19, after the period insert the following:

In cities where permanent registration is required, the clerk of said city shall be appointed as a deputy county commissioner of elections for said city.

2. Page 6, line 13, after the period insert the following:

In cities where permanent registration is required, the clerk of said city shall be appointed as a deputy county commissioner of registration for said city.

A non-record roll call was requested.

The ayes were 28, nays 58.

The amendment lost.

Franklin of Polk offered the following amendment from the floor filed by her and Johnston of Johnson and moved its adoption:

Amend House File 1147 as follows:

1. Page 4, line 34, by striking the name "William K. Brown" and inserting in lieu thereof the name "Sally K. Brown."
2. Page 5, line 4, by striking the name "John Williams" and inserting in lieu thereof the name "Betty Williams."
3. Page 5, line 9, by striking the name "Howard Collins" and inserting in lieu thereof the name "Patricia Collins."
4. Page 5, line 15, by striking the name "William Strong" and inserting in lieu thereof the name "Gladys Strong."

A non-record roll call was requested.

The ayes were 68, nays 18.

The amendment was adopted.

Drake of Muscatine moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1147)

The ayes were, 93:

Alt	Freeman	Siglin	Skinner
Anania	Gluba	Mendenhall	Small
Andersen	Grassley	Menefee	Sorg
Bergman	Hamilton	Middleswart	Stanley
Blouin	Harbor	Miller	Stokes
Bray	Hill	Moffitt	Strand
Camp	Holden	Monroe	Stromer
Campbell	Husak	Nielsen	Strothman
Christensen	Jesse	Norpel	Taylor
Clark	Johnston	Nystrom	Tieden
Cochran	Kehe	Patton	Pellett
Curtis	Kennedy	Pelton	Trowbridge
Den Herder	Kinley	Pierson	Uban
Dougherty	Knoblauch	Priebe	Varley
Doyle	Knoke	Radl	Waugh
Drake	Kreamer	Rodgers	Welden
Dunton	Kruse	Roorda	Wells
Edelen	Larson	Sargisson	Willits
Egenes	Lawson	Schmeiser	Winkelman
Ellsworth	Lipsky	Schroeder	Wirtz
Ewell	Logemann	Schwartz	Wyckoff
Fischer, H. O.	Mayberry	Scott	Mr. Speaker
Fisher, C. R.	McCormick	Shaw	(Millen)
Franklin	McElroy		

The nays were, 2:

Hansen Kelly

Absent or not voting, 5:

Bennett	Mollett	Rex	Schwieger
Goode			

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

MESSAGE FROM THE SENATE

The following message was received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File 48, a bill for an act relating to the movement of oversized mobile homes and vehicles.

CARROLL A. LANE, Secretary

SENATE AMENDMENT TO HOUSE FILE 48

1 Amend House File 48 as amended, passed, and reprinted by the
 2 House by striking all after the enacting clause and inserting
 3 in lieu thereof the following:

4 Section 1. Section three hundred twenty-one E point
 5 three (321E.3), Code 1971, is amended as follows:
 6 321E.3 ESCORTS FOR MOVEMENTS—DISTANCE SCHED-
 ULES.

7 All movements of mobile homes and other vehicles the width
 8 of which, including any load, exceeds the roadway lane
 9 width of the highway or street being traversed, shall be
 10 under escort. Permits for the movement of *other motor*
 11 *vehicles with* indivisible loads exceeding twelve feet
 12 five inches in width [or mobile homes of widths including
 13 appurtenances exceeding twelve feet five inches] shall be
 14 restricted to maximum trip distances in accordance with
 15 the following schedule:

16 SCHEDULE OF OVER-WIDTH MOVEMENT DISTANCES FOR
 PAVEMENT
 17 WIDTHS OF 24 FEET OR MORE WITH TRAFFIC OF 4,000 OR
 MORE

18 VEHICLES PER DAY

19 Load	Distance
20 Width (ft.)	(Miles)
21 13	50
22 14	50
23 15	41
24 16	32
25 17	23
26 18	15
27 19 to 40	10
28 Over 40	Not allowed

29 *Any mobile home exceeding twelve feet five inches in width,*
 30 *including appurtenances, and not exceeding fourteen feet*
 31 *five inches in width, including appurtenances, may be moved*
 32 *on the highways of this state upon filing of an application*
 33 *for and receiving a single trip permit. Any mobile home*
 34 *exceeding fourteen feet five inches in width, including*
 35 *appurtenances, shall be restricted to maximum trip distances*
 36 *in accordance with the above schedule.*

37 *No mobile home exceeding ten feet in width shall be*
 38 *moved according to the provisions of this section, when*
 39 *the recorded wind velocity exceeds twenty miles per hour.*

40 Sec. 2. Section three hundred twenty-one E point six
 41 (321E.6), Code 1971, is amended as follows:

42 321E.6 VARIATIONS IN ROAD WIDTH AND TRAFFIC. A
 movement

43 of an indivisible load over a highway or highways having sections
 44 carrying varying volumes of traffic and having varying surface
 45 widths shall have its permissible total distance computed on
 46 the basis of the lowest volume of traffic or the greatest
 47 highway width, whichever produces the greater distance by the
 48 foregoing schedule. However, no movement over a section or
 49 sections carrying a given shorter permissible maximum shall
 50 be greater than that shorter maximum and, in computing the
 51 distance which would be traveled on a section or sections
 52 having a certain width and traffic volume, distances which
 53 would be traveled on sections carrying shorter permissible
 54 move distances shall be included.

55 *Any mobile home exceeding twelve feet five inches in*
 56 *width, including appurtenances, subject to the provisions*
 57 *of this chapter, shall not move over any highway with a*
 58 *roadway which is less than twenty-four feet in width, except*
 59 *that any mobile home which exceeds twelve feet five inches in*
 60 *width, including appurtenances, but does not exceed fourteen*
 61 *feet five inches in width, including appurtenances, may be*
 62 *moved upon any highway with a roadway which is less than*
 63 *twenty-four feet in width when the mobile home is being moved*
 64 *to a terminous point within the state, provided the mobile*
 65 *home and power unit are accompanied by an official escort*
 66 *approved by the permit issuing authority.*

67 *For the purpose of this section the word "terminous point"*
 68 *means a mobile home park site or any site in which the mobile*
 69 *home will be placed permanently and used for human habitation.*

70 *Permits for the movement of mobile homes not to exceed*
 71 *fourteen feet five inches in width, including appurtenances,*
 72 *may be granted by the permit issuing authority on highways*
 73 *with roadway widths of less than twenty-four feet, when the*
 74 *issuing authority determines from consideration of roadway*
 75 *characteristics and traffic density that safety will be*
 76 *enhanced. The actual road may be closed to other traffic*
 77 *when the authority determines that safety will be enhanced.*

78 Sec. 3. Section three hundred twenty-one E point
 79 eight (321E.8), subsection one (1), Code 1971, is amended
 80 as follows:

81 1. Vehicles with indivisible loads having an over-all
 82 width not to exceed twelve feet, five inches or mobile
 83 homes including appurtenances not to exceed twelve feet,
 84 five inches and an over-all length not to exceed [seventy
 85 feet, zero inches] *eighty-five feet, including the power*
 86 *unit, may be moved for unlimited distances. The vehicle*
 87 *and load shall not exceed the height of thirteen feet, ten*
 88 *inches and the total gross weight as prescribed in section*
 89 *321.463.*

90 Sec. 4. Section three hundred twenty-one E point nine
 91 (321E.9), subsection one (1), Code 1971, is amended as
 92 follows:

93 1. Vehicles with indivisible loads having an over-
 94 all width not to exceed twelve feet, five inches or
 95 mobile homes including appurtenances not to exceed [twelve]
 96 *fourteen* feet, five inches and an over-all length not to
 97 exceed [eighty feet, zero inches] *eighty-five feet, including*
 98 *the power unit*, may be moved for unlimited distances. No
 99 mobile home may be moved under the provisions of this sub-
 100 section if the actual mobile home unit exceeds [sixty-eight
 101 feet in length] *seventy feet in length, including any area*
 102 *occupied by a hitching device*. No unit moved under the pro-
 103 visions of this subsection shall exceed the height as pre-
 104 scribed in section 321.456 and the total gross weight as
 105 prescribed in section 321.463.

106 Sec. 5. Section three hundred twenty-one E point
 107 eleven (321E.11), unnumbered paragraph one (1), Code 1971,
 108 is amended as follows:

109 Movements by permit in accordance with this chapter
 110 shall be permitted [only] during daylight hours unless it
 111 is established by the issuing authority that the movement
 112 can be better accomplished at another period of time because
 113 of traffic [volume] conditions.

114 Sec. 6. Section three hundred twenty-one point one
 115 (321.1), Code 1971, is amended by adding the following new
 116 subsection:

117 "Daylight hours" means thirty minutes before sunrise
 118 to thirty minutes after sunset.

COMMITTEE ON NONCONTROVERSIAL BILLS

The Speaker announced the appointment of the following members to the committee on noncontroversial bills:

Sorg of Linn, Chairman
 Alt of Polk
 Dunton of Keokuk

RULES OF THE COMMITTEE ON NONCONTROVERSIAL BILLS

1. The committee shall consist of three (3) members.
2. Two (2) members shall constitute a quorum for meetings of this committee.
3. Two (2) affirmative votes are required to recommend a bill to the noncontroversial calendar.
4. Meetings shall be held at the call of the chairman. Notices of such meetings shall be by announcement placed on the desk of committee members, announcement from the well of the House, and posting on the blackboard at the rear of the House.
5. House members may submit requests to have bills currently on the regular calendar considered for the noncontroversial calendar by placing this request with any member of the noncontroversial committee.
6. The vote on all bills shall be by roll call and a record of such vote

- maintained. The short form may be used, but anyone voting nay shall be so recorded.
7. The rules of the House shall apply in any case not covered by special rules of this committee, provided however that the committee shall have no rule which is inconsistent with the standing rules of the House or the joint rules of the House and Senate.
 8. Except for the first noncontroversial calendar of this session, all bills must appear on the noncontroversial calendar for two (2) legislative days before being eligible for consideration by the House.
 9. Any bill may be removed from the noncontroversial calendar by filing with the Chief Clerk, within two legislative days after its appearance on the noncontroversial calendar, a written request for removal signed by at least five (5) members of the House. The bill shall be returned to its original place on the regular calendar.
 10. Any bill on the noncontroversial calendar to which an amendment—other than a corrective amendment—has been filed, shall be removed from the noncontroversial calendar on motion by any member of the noncontroversial bill committee—and approved by the House without debate.
 11. The Speaker may, at his discretion, declare any bill controversial after five (5) minutes of debate and return the bill to its original place on the regular calendar.

SORG of Linn, Chairman
 DUNTON of Keokuk
 ALT of Polk

REPORTS OF COMMITTEES

Tieden of Clayton, from the committee on conservation and recreation, submitted the following report:

MR. SPEAKER: Your committee on conservation and recreation, to whom was referred **Senate File 79**, a bill for an act relating to hunting-safety education and providing a penalty, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same **be amended as follows, and when so amended the bill do pass:**

Amend Senate File 79 as amended and passed by the senate as follows:

1. Page 2, by inserting after line 14 the following:

Sec. The public schools of this state may cooperate with the state conservation commission to provide training in the safe handling and use of firearms. The course shall be completed in not less than four hours nor more than eight hours in any one school year. The course shall be an elective and no person under eighteen years of age shall be enrolled without the written consent of his parents or guardian.

2. Page 2, by striking the first four lines of Section 3 and inserting in lieu thereof the following:

Sec. 3. The state conservation commission shall furnish an instructor's manual on hunting safety to be used by all instructors.

TIEDEN of Clayton, Chairman

Fischer of Grundy, from the committee on commerce, submitted the following reports:

MR. SPEAKER: Your committee on commerce, to whom was referred **House File 1089**, a bill for an act relating to the Iowa insurance guaranty association, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same **be amended as follows, and when so amended the bill do pass:**

Amend House File 1089 as follows:

1. Page 2, lines 4 and 5, by striking the words "on and after July 1, 1972".
2. Page 2, line 6, by adding after the word "surety," the word "fidelity,".
3. Page 3, line 12, by adding a period after the word "jurisdiction" and striking the words "subsequent to July 1, 1970."
4. Page 3, by striking lines 13 through 18.
5. Page 4, line 25, by striking the period after the word "directors" and adding ", subject to the approval of the commissioner."

FISCHER of Grundy, Chairman

Also:

MR. SPEAKER: Your committee on commerce, to whom was referred **House File 1098**, a bill for an act relating to the contents of a safety deposit box or other security enclosure of a decedent, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same **do pass.**

FISCHER of Grundy, Chairman

Also:

MR. SPEAKER: Your committee on commerce, to whom was referred **House File 1109**, a bill for an act relating to inducements to open or add to savings accounts and providing penalties, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same **do pass.**

FISCHER of Grundy, Chairman

Also:

MR. SPEAKER: Your committee on commerce, to whom was referred **House File 1143**, a bill for an act relating to installment loans by state banks, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same **be amended as follows, and when so amended the bill do pass:**

Amend House File 1143 as follows:

1. Page 3, by striking lines 1 through 3, inclusive, and inserting in lieu thereof the following:
"Sec. 2. Section five hundred twenty-four point

nine hundred six (524.906), subsection six (6), Code 1971, is amended to read as follows:

6. [The total amount loaned to any one customer for which a charge is made pursuant to this section shall not, at any one time, exceed ten thousand dollars excluding charges permitted by this section. For any portion of one or more loans to one customer in excess of ten thousand dollars, the charge which the state bank may make shall be governed by law other than this section.] No state bank shall have outstanding loans subject to this section in an aggregate amount exceeding twenty-five percent of its total assets."

FISCHER of Grundy, Chairman

Also:

MR. SPEAKER: Your committee on commerce, to whom was referred **House File 1141**, a bill for an act relating to unfair trade practices in the business of insurance and providing a penalty, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same **do pass**.

FISCHER of Grundy, Chairman

AMENDMENTS FILED

- 1 Amend Senate File 334 as follows:
- 2 1. Page 3, line 4, by striking all after the
- 3 period and all of lines 5 through 10.
- 4 2. Page 3, by striking all after the word
- 5 "collect" in line 24 and all of lines 25
- 6 through 35 and inserting in lieu thereof the
- 7 following: "two dollars for each vending
- 8 machine operated."
- 9 3. Page 4, by striking lines 1 and 2.

SCHROEDER of Pottawattamie

- 1 Amend House File 1076, page 1, line 20, by
- 2 striking the words "being paid at an hourly rate".

NYSTROM of Boone

- 1 Amend House File 1082 as follows:
- 2 1. Page 2, by adding the following new section
- 3 after line 23:
- 4 "Sec. After any conviction for operating a
- 5 motor vehicle while under the influence of an alco-
- 6 holic beverage under section three hundred twenty-one
- 7 point two hundred eighty-one (321.281) of the Code,
- 8 the court may refer the defendant for treatment at a
- 9 facility as defined in chapter one hundred twenty-three
- 10 B (123B) of the Code. The court may prescribe the
- 11 length of time for treatment or it may be left to the
- 12 discretion of the facility to which the defendant was
- 13 referred."

14 2. Page 2, line 26, by inserting after the word
15 "shall" the following: ", in addition to suspension
16 under section three hundred twenty-one point two
17 hundred eighty-one (321.281) of the Code,".

18 3. Page 3, line 22, by inserting after the word
19 "revocation" the words "under section three hundred
20 twenty-one point two hundred eighty-one (321.281) of
21 the Code".

22 4. By renumbering the bill sections to conform
23 with this amendment.

LIPSKY of Linn

1 Amend House File 1133, page 5, line 32 by striking
2 the words "may in its discretion" and inserting in
3 lieu thereof the word "shall".

NORPEL of Jackson

1 Amend Senate File 1046 as follows:

2 1. Page 2, add the following new section:

3 "Sec. The commissioner of social services
4 may, subject to the approval of the executive council,
5 grant easement rights for the drainage of waters
6 across or through the lands belonging to the state
7 connected with, or a part of, the grounds of the
8 Women's Reformatory located at Rockwell City, Iowa
9 and for water and sewage lines to the city of
10 Cherokee across or through lands belonging to the
11 state connected with, or a part of, the grounds of
12 the Mental Health Institute located at said city."

13 2. Page 2, by striking section 4.

14 3. Page 1, by striking all of lines 2 and 3 and
15 inserting in lieu thereof the following:

16 "grant easements for water or sewage lines and
17 for drainage across certain lands belonging to the
18 state."

WINKELMAN of Calhoun
CURTIS of Cherokee

On motion by Varley of Adair, the House adjourned until
9:00 a.m., Friday, February 11, 1972.

JOURNAL OF THE HOUSE

Thirty-third Calendar Day—Twenty-fifth Session Day

HALL OF THE HOUSE OF REPRESENTATIVES
DES MOINES, IOWA, FRIDAY, FEBRUARY 11, 1972

The House met pursuant to adjournment, Speaker Harbor in the chair.

Prayer was offered by Dr. Deane Chapman, pastor of Calvary United Methodist Church, Walcott, Iowa.

The Journal of Thursday, February 10, 1972 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Thomas Viner, Leon, Iowa.

LINCOLN'S BIRTHDAY OBSERVANCE

Twenty-three members of the State Employees' Chorus, under the direction of Joe Moore, sang "Let There Be Peace", "Going to Climb a Mountain" and "Battle Hymn of the Republic".

The chorus, a volunteer group, is made up of state employees from the Iowa Employment Security building, Lucas building and Grimes building.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Franklin of Polk on request of Blouin of Dubuque.

PRESENTATION OF VISITORS

Dougherty of Monroe presented to the House the state president of the Boys 4-H Club, Mike Peterson, of Albia, Iowa. Mike is a student at Drake University.

The Speaker announced that the following visitors were present in the House chamber:

Fifty-two fourth grade students from Perry School, Perry, Iowa, accompanied by their instructors, Mrs. Leslie and Mrs. Ingals. By Rodgers of Dallas.

Fifteen members of the Oskaloosa Senior High School debating team, Oskaloosa, Iowa, accompanied by Thomas Harksen. By Pierson of Mahaska.

Girl Scout Troops 604 and 614 from Story City, Iowa, accompanied by Marjorie Varnum. By Egenes of Story.

Thirty eighth grade students from Saint Joseph Junior High School, Fort Madison, Iowa, accompanied by Sister Carole Anne Guckeen. By Clark of Lee.

Thirty fifth grade students from Dunlap School, Des Moines, Iowa, accompanied by their instructor, Betty Roberson. By Anania of Polk.

Forty-six fifth grade students from Bondurant School, Bondurant, Iowa, accompanied by their instructors, Mrs. Phares and Mrs. Boyd. Skinner of Polk.

PETITIONS FILED

The following petitions were received and placed on file:

By Camp of Clinton from sixty-seven residents of Clinton County favoring continuation of tax exempt status of nonprofit retirement centers.

By Lawson of Cerro Gordo from sixteen residents of Cerro Gordo County favoring House File 1105 relating to no-fault insurance.

By Schmeiser of Des Moines from ninety-six residents of Louisa County opposing taxing of parsonages, legalizing gambling, and sale of liquor in groceries.

By Scott of Cerro Gordo from sixteen members of Beta Omicron, Beta Sigma Phi of Clear Lake, Iowa, favoring House File 1146 relating to educational television for northern Iowa.

ADOPTION OF COMMITTEE REPORTS

The Chief Clerk announced the adoption of reports of committee on House Files 1089, 1098, 1109, 1141, 1143 and Senate File 79, under Rule 35.

INTRODUCTION OF BILLS

House File 1177, by Scott, a bill for an act relating to an abandoned railroad right-of-way.

Read first time and referred to committee on **commerce**.

House File 1178, by Rex, a bill for an act relating to county recorder fees.

Read first time and referred to committee on **county government**.

House File 1179, by Knoke (Griffin), a bill for an act to provide for police reserve units in cities with populations over five thousand.

Read first time and referred to committee on **cities and towns**.

House File 1180, by Knoke, a bill for an act relating to the use of funds distributed to cities and towns out of state liquor store sales.

Read first time and referred to committee on **cities and towns**.

House File 1181, by committee on agriculture, a bill for an act relating to livestock, providing for rules and regulations and providing a penalty for violations.

Read first time and **placed on the calendar**.

House File 1182, by Stromer, a bill for an act relating to collection agencies and providing penalties.

Read first time and referred to committee on **commerce**.

House File 1183, by Radl, a bill for an act relating to the establishment of sanitary disposal projects, authorizing a tax for such projects, and providing for violations.

Read first time and referred to committee on **cities and towns**.

House File 1184, by Knoke, a bill for an act relating to old-age assistance and the transfer of real property.

Read first time and referred to committee on **judiciary**.

House File 1185, by Freeman, a bill for an act relating to tuition grants for veterans.

Read first time and referred to committee on **higher education**.

House File 1186, by Freeman and Blouin, a bill for an act relating to a presidential preferential primary election.

Read first time and referred to committee on **state government**.

House File 1187, by Doyle, Kelly, Sargisson and Andersen, a bill for an act relating to special municipal judges.

Read first time and referred to committee on **judiciary**.

INTRODUCTION OF JOINT RESOLUTION

House Joint Resolution 1006, by Winkelman, Cochran, Campbell, Middleswart, Pellett, Tieden and Knoblauch, a joint resolution to require approved soil conservation practices on land in the watershed of proposed United States army corps of engineers multipurpose dams prior to construction of such dams.

Read first time and referred to committee on **environmental preservation**.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File 1070, a bill for an act relating to approval, coordination, and supervision over electronic data processing.

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

House File 33, a bill for an act relating to distance requirements for pipeline regulation.

CARROLL A. LANE, Secretary

SENATE AMENDMENT TO HOUSE FILE 33

- 1 Amend House File 33 as passed by the House as follows:
- 2 1. Page 1, line 5, by striking the words "is amended as
- 3 follows: "and inserting in lieu thereof the following:
- 4 "as amended by chapter two hundred thirty-nine (239),
- 5 section three (3), Acts of the Sixty-fourth General
- 6 Assembly, First Session, is further amended as follows:".
- 7 2. Page 2, by inserting after line 11 the following new
- 8 paragraph:
- 9 "*An informational meeting is not required when the*
- 10 *pipeline extends a distance of less than five miles across*
- 11 *privately owned property.*"
- 12 3. Page 2, by striking lines 15 through 28, inclusive, and
- 13 inserting in lieu thereof the following:
- 14 "The person, company, or corporation seeking the permit
- 15 shall give notice of the informational meeting to each person,
- 16 company, or corporation determined to be the landowner affected
- 17 by the proposed project and any person, company or corporation
- 18 in possession of or residing on the property. For the purposes
- 19 of this section, 'landowner' means a person, company or

20 corporation listed on the tax assessment rolls as responsible
21 for the payment of real estate taxes imposed on the property
22 and 'pipeline' means any line transporting any solid, liquid,
23 or gaseous substance, except water, under pressure in excess
24 of one hundred fifty pounds per square inch and extending a
25 distance of not less than five miles or future anticipated
26 extension of an overall distance of five miles."

SENATE AMENDMENTS CONSIDERED

Welden of Hardin called up for consideration **House File 412**, a bill for an act relating to administrative rules of departments of state, amended by the Senate as follows:

SENATE AMENDMENT TO HOUSE FILE 412

Amend House File 412 as amended and passed by the House by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section seventeen A point one (17A.1), subsection three (3), Code 1971, is amended by striking the subsection and inserting in lieu thereof the following:

3. 'Rule' means any rule, regulation, order or standard of general application that implements, interprets, or prescribes law or policy, or describes the organization, procedure, or practice requirements of an agency or the amendment, supplement, repeal, rescission, or revision of any rule, regulation, order, or standard of general application.

'Rule' does not include any statement concerning only the internal management of an agency and not affecting the rights or procedures available to the public. 'Rule' does not include rules adopted relating to the management, discipline, or release of any person committed to any state institution, nor rules of an agency which may be necessary during emergencies such as floods, epidemics, invasion, or other disasters.

Sec. 2. The rules review committee may upon its own motion require that a department meet with it to discuss and review rules already promulgated and in force and thereafter render to such department an advisory opinion requesting that such rules be amended or revised."

Shaw of Scott offered the following amendment to the Senate amendment and moved its adoption:

Amend the Senate amendment to House File 412 as follows:

1. Strike lines 8, 9 and 10 and insert in lieu thereof the following:

"of general application that implements or interprets law or policy, or the amendment,".

2. Strike lines 21 and 22 and insert in lieu thereof the following:

"Sec. 2. The rules review committee shall at the request of any standing committee of the general assembly, or may on its own motion, require a department to meet with the rules review committee to discuss".

Motion prevailed and the amendment to the Senate amendment was adopted.

Welden of Hardin moved that the House concur in the Senate amendment as amended.

The motion prevailed and the House concurred in the Senate amendment as amended.

Welden of Hardin moved that the bill, as amended by the Senate, further amended by the House, and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 412)

The ayes were, 83:

Alt	Freeman	Mendenhall	Scott
Anania	Gluba	Menefee	Shaw
Andersen	Grassley	Middleswart	Skinner
Bergman	Hamilton	Millen	Small
Blouin	Hansen	Miller	Sorg
Bray	Hill	Monroe	Stanley
Camp	Holden	Nielsen	Stokes
Campbell	Husak	Norpel	Strand
Christensen	Jesse	Nystrom	Stromer
Clark	Johnston	Patton	Taylor
Cochran	Kinley	Pellett	Tieden
Curtis	Knoblauch	Pierson	Trowbridge
Dougherty	Knoke	Priebe	Varley
Doyle	Kruse	Radl	Waugh
Drake	Larson	Rex	Welden
Dunton	Lawson	Rodgers	Wells
Edelen	Lipsky	Roorda	Willits
Egenes	Logemann	Sargisson	Winkelman
Ellsworth	Mayberry	Schmeiser	Wyckoff
Ewell	McCormick	Schroeder	Mr. Speaker
Fisher, C. R.	McElroy	Schwieger	

The nays were, none.

Absent or not voting, 17:

Bennett	Kehe	Moffitt	Siglin
Den Herder	Kelly	Mollett	Strothman
Fischer, H. O.	Kennedy	Pelton	Uban
Franklin	Kreamer	Schwartz	Wirtz
Goode			

The bill having received a constitutional majority was declared to have repassed the House and the title was agreed to.

Bergman of Osceola called up for consideration **House File 1012**, a bill for an act requiring posting of bond in conjunction with petition to establish a rural water district, amended by the Senate, and moved that the House concur in the following Senate amendment:

Amend House File 1012, line 7, by adding after the word "bond" the following: ", certified check or cash".

Motion prevailed and the House concurred in the Senate amendment.

Bergman of Osceola moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H. F. 1012)

The ayes were, 83:

Alt	Grassley	Menefee	Scott
Anania	Hamilton	Middleswart	Shaw
Andersen	Hansen	Millen	Skinner
Bergman	Hill	Miller	Small
Blouin	Holden	Monroe	Sorg
Bray	Husak	Nielsen	Stanley
Camp	Jesse	Norpel	Stokes
Campbell	Johnston	Nystrom	Strand
Christensen	Kinley	Patton	Stromer
Clark	Knoblauch	Pellett	Taylor
Cochran	Knoke	Pierson	Tieden
Curtis	Kreamer	Priebe	Trowbridge
Dougherty	Kruse	Radl	Varley
Doyle	Larson	Rex	Waugh
Drake	Lawson	Rodgers	Welden
Edelen	Lipsky	Roorda	Wells
Egenes	Logemann	Sargisson	Willits
Ellsworth	Mayberry	Schmeiser	Winkelman
Ewell	McCormick	Schroeder	Wyckoff
Fisher, C. R.	McElroy	Schwartz	Mr. Speaker
Gluba	Mendenhall	Schwieger	

The nays were, none.

Absent or not voting, 17:

Bennett	Freeman	Kennedy	Siglin
Den Herder	Goode	Moffitt	Strothman
Dunton	Kehe	Mollett	Uban
Fischer, H. O.	Kelly	Pelton	Wirtz
Franklin			

The bill having received a constitutional majority was declared to have repassed the House and the title was agreed to.

Bergman of Osceola called up for consideration **House File 1036**, a bill for an act requiring the posting of a bond in conjunction with a petition to establish a private sanitary district, and

the funding of preliminary expenses of such district, amended by the Senate, and moved that the House concur in the following Senate amendment:

Amend House File 1036, page 2, line 4, by inserting after the word "bond" the following: " , certified check or cash".

Motion prevailed and the House concurred in the Senate amendment.

Bergman of Osceola moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1036)

The ayes were, 79:

Alt	Freeman	McElroy	Schwieger
Anania	Gluba	Mendenhall	Scott
Andersen	Grassley	Middleswart	Small
Bergman	Hamilton	Millen	Sorg
Blouin	Hansen	Miller	Stanley
Bray	Hill	Nielsen	Stokes
Camp	Holden	Norpel	Strand
Christensen	Husak	Nystrom	Stromer
Clark	Jesse	Patton	Taylor
Cochran	Johnston	Pellett	Tieden
Curtis	Knoblauch	Pierson	Trowbridge
Dougherty	Knoke	Priebe	Varley
Doyle	Kreamer	Radl	Waugh
Drake	Kruse	Rex	Welden
Dunton	Larson	Rodgers	Wells
Edelen	Lawson	Roorda	Willits
Egenes	Lipsky	Sargisson	Winkelman
Ellsworth	Logemann	Schmeiser	Wyckoff
Ewell	Mayberry	Schroeder	Mr. Speaker
Fisher, C. R.	McCormick	Schwartz	

The nays were, 1:

Campbell

Absent or not voting, 20:

Bennett	Kehe	Moffitt	Siglin
Den Herder	Kelly	Mollett	Skinner
Fischer, H. O.	Kennedy	Monroe	Strothman
Franklin	Kinley	Pelton	Uban
Goode	Menefee	Shaw	Wirtz

The bill having received a constitutional majority was declared to have repassed the House and the title was agreed to.

HOUSE INSISTS

Christensen of Union called up for consideration **Senate File 431**, a bill for an act relating to hunting restrictions, and moved that the House insist on the House amendment to the Senate amendment.

A non-record roll call was requested.

The ayes were 79, nays 0.

Motion prevailed and the House insists on its House amendment to the Senate amendment.

CONSIDERATION OF BILLS

REGULAR CALENDAR

House File 1117, a bill for an act relating to the annual report of the commissioner of insurance, was taken up for consideration.

Ellsworth of Dubuque moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1117)

The ayes were, 79:

Alt	Gluba	Mendenhall	Shaw
Anania	Hamilton	Menefee	Skinner
Andersen	Hansen	Middleswart	Small
Bennett	Hill	Miller	Sorg
Bergman	Holden	Nielsen	Stanley
Blouin	Husak	Norpel	Stokes
Camp	Jesse	Nystrom	Strand
Campbell	Johnston	Patton	Stromer
Christensen	Kelly	Pellett	Taylor
Clark	Kinley	Pierson	Tieden
Curtis	Knoblauch	Priebe	Trowbridge
Dougherty	Knoke	Radl	Varley
Doyle	Kruse	Rex	Waugh
Drake	Larson	Rodgers	Welden
Dunton	Lawson	Roorda	Wells
Edelen	Lipsky	Sargisson	Willits
Egenes	Logemann	Schmeiser	Winkelman
Ellsworth	Mayberry	Schroeder	Wyckoff
Ewell	McCormick	Schwartz	Mr. Speaker
Fisher, C. R.	McElroy	Scott	

The nays were, none.

Absent or not voting, 21:

Bray	Goode	Millen	Schwieger
Cochran	Grassley	Moffitt	Siglin
Den Herder	Kehe	Mollett	Strothman
Fischer, H. O.	Kennedy	Monroe	Uban
Franklin	Kreamer	Pelton	Wirtz
Freeman			

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

SENATE FILE 1046 RECONSIDERED

Winkelman of Calhoun called up for consideration his motion to reconsider Senate File 1046, filed on February 4, 1972, and found on page 279 of the House Journal.

Winkelman of Calhoun moved to reconsider the vote by which Senate File 1046, a bill for an act permitting the commissioner of social services to grant water and sewage easements to the municipal corporations of Eldora and Marshalltown, passed the House on February 4, 1972.

A non-record roll call was requested.

The ayes were 77, nays 1.

The motion prevailed.

Winkelman of Calhoun moved that the vote by which Senate File 1046 was placed on its last reading be reconsidered.

The motion prevailed.

Winkelman of Calhoun offered the following amendment filed by him and Curtis of Cherokee and moved its adoption:

Amend Senate File 1046 as follows:

1. Page 2, add the following new section:

"Sec. The commissioner of social services may, subject to the approval of the executive council, grant easement rights for the drainage of waters across or through the lands belonging to the state connected with, or a part of, the grounds of the Women's Reformatory located at Rockwell City, Iowa and for water and sewage lines to the city of Cherokee across or through lands belonging to the state connected with, or a part of, the grounds of the Mental Health Institute located at said city."

2. Page 2, by striking section 4.

3. Page 1, by striking all of lines 2 and 3 and inserting in lieu thereof the following:

"grant easements for water or sewage lines and for drainage across certain lands belonging to the state."

The amendment was adopted.

Winkelman of Calhoun moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 1046)

The ayes were, 80:

Alt	Fisher, C. R.	Mayberry	Scott
Anania	Freeman	McCormick	Shaw
Andersen	Gluba	McElroy	Skinner
Bennett	Grassley	Mendenhall	Small
Bergman	Hamilton	Menefee	Sorg
Blouin	Hansen	Middleswart	Stanley
Camp	Hill	Miller	Stokes
Campbell	Holden	Nielsen	Strand
Christensen	Husak	Norpel	Stromer
Clark	Jesse	Nystrom	Taylor
Cochran	Johnston	Patton	Tieden
Curtis	Kinley	Pellett	Trowbridge
Dougherty	Knoblauch	Priebe	Uban
Doyle	Knoke	Rex	Waugh
Drake	Kreamer	Rodgers	Welden
Dunton	Kruse	Sargisson	Wells
Edelen	Larson	Schmeiser	Willits
Egenes	Lawson	Schroeder	Winkelman
Ellsworth	Lipsky	Schwartz	Wyckoff
Ewell	Logemann	Schwieger	Mr. Speaker

The nays were, none.

Absent or not voting, 20:

Bray	Kehe	Mollett	Roorda
Den Herder	Kelly	Monroe	Siglin
Fischer, H. O.	Kennedy	Pelton	Strothman
Franklin	Millen	Pierson	Varley
Goode	Moffitt	Radi	Wirtz

The bill having received a constitutional majority was declared to have repassed the House and the title as amended was agreed to.

CONSIDERATION OF BILLS

REGULAR CALENDAR

House File 1120, a bill for an act relating to notification of property owners of adjustment of real property assessments, was taken up for consideration.

Schmeiser of Des Moines moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1120)

The ayes were, 80:

Alt	Camp	Dunton	Gluba
Anania	Cochran	Edelen	Grassley
Andersen	Curtis	Egenes	Hamilton
Bennett	Den Herder	Ellsworth	Hansen
Bergman	Dougherty	Fischer, H. O.	Holden
Blouin	Doyle	Fisher, C. R.	Husak
Bray	Drake	Freeman	Kehe

Kelly	Miller	Sargisson	Strothman
Knoblauch	Moffitt	Schmeiser	Taylor
Knoke	Monroe	Schroeder	Tieden
Kreamer	Nielsen	Schwartz	Trowbridge
Kruse	Norpel	Schwieger	Uban
Larson	Nystrom	Scott	Varley
Lawson	Patton	Shaw	Waugh
Lipsky	Pierson	Small	Welden
Logemann	Priebe	Sorg	Wells
McCormick	Radl	Stanley	Willits
McElroy	Rex	Stokes	Winkelman
Mendenhall	Rodgers	Strand	Wyckoff
Middleswart	Roorda	Stromer	Mr. Speaker

The nays were, 6:

Campbell	Johnston	Millen	Skinner
Clark	Mayberry		

Absent or not voting, 14:

Christensen	Hill	Menefee	Pelton
Ewell	Jesse	Mollett	Siglin
Franklin	Kennedy	Pellett	Wirtz
Goode	Kinley		

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

House File 1128, a bill for an act relating to the annual certificate of authority of insurance companies, was taken up for consideration.

Varley of Adair offered the following amendment filed by him and moved its adoption:

Amend House File 1128 by adding the following new section:

Sec. 4. Section five hundred fifteen point ninety (515.90), Code 1971, is repealed.

The amendment was adopted.

Ellsworth of Dubuque moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1128)

The ayes were, 84:

Alt	Cochran	Fisher, C. R.	Kehe
Anania	Curtis	Freeman	Kelly
Andersen	Den Herder	Grassley	Kinley
Bennett	Dougherty	Hamilton	Knoblauch
Bergman	Doyle	Hansen	Knoke
Blouin	Drake	Hill	Kruse
Bray	Dunton	Holden	Larson
Camp	Edelen	Husak	Lawson
Campbell	Ellsworth	Jesse	Lipsky
Clark	Fischer, H. O.	Johnston	Logemann

Mayberry	Nystrom	Schwartz	Taylor
McCormick	Patton	Schwieger	Tieden
McElroy	Pellett	Scott	Trowbridge
Mendenhall	Pierson	Shaw	Varley
Menefee	Priebe	Skinner	Waugh
Middleswart	Radl	Sorg	Welden
Millen	Rex	Stanley	Wells
Miller	Rodgers	Stokes	Willits
Moffitt	Sargisson	Strand	Winkelman
Monroe	Schmeiser	Stromer	Wyckoff
Norpel	Schroeder	Strothman	Mr. Speaker

The nays were, none.

Absent or not voting, 16:

Christensen	Gluba	Mollett	Siglin
Egenes	Goode	Nielsen	Small
Ewell	Kennedy	Pelton	Uban
Franklin	Kreamer	Roorda	Wirtz

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

HOUSE FILE 1067 DEFERRED

House File 1067, a bill for an act relating to the disposition of proceeds from a casual farm auction sale, with report of committee recommending amendment and passage, was taken up for consideration.

Schroeder of Pottawattamie asked and received unanimous consent that House File 1067 be deferred and the bill retain its place on the calendar.

House File 1078, a bill for an act relating to the placing of permit numbers on containers of agricultural seeds, with report of committee recommending passage, was taken up for consideration.

Pierson of Mahaska moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1078)

The ayes were, 88:

Alt	Clark	Egenes	Hansen
Anania	Cochran	Ellsworth	Hill
Andersen	Curtis	Ewell	Holden
Bennett	Den Herder	Fischer, H. O.	Husak
Bergman	Dougherty	Fisher, C. R.	Jesse
Blouin	Doyle	Freeman	Johnston
Bray	Drake	Gluba	Kehe
Camp	Dunton	Grassley	Kelly
Campbell	Edelen	Hamilton	Kinley

Knoblauch	Millen	Roorda	Stromer
Knoke	Miller	Sargisson	Strothman
Kreamer	Moffitt	Schmeiser	Taylor
Kruse	Nielsen	Schroeder	Tieden
Larson	Norpel	Schwartz	Trowbridge
Lawson	Nystrom	Schwieger	Uban
Lipsky	Patton	Scott	Varley
Logemann	Pellett	Shaw	Waugh
Mayberry	Pierson	Skinner	Wells
McCormick	Priebe	Sorg	Willits
McElroy	Radl	Stanley	Winkelman
Mendenhall	Rex	Stokes	Wyckoff
Menefee	Rodgers	Strand	Mr. Speaker

The nays were, none.

Absent or not voting, 12:

Christensen	Kennedy	Monroe	Small
Franklin	Middleswart	Pelton	Welden
Goode	Mollett	Siglin	Wirtz

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

CONSIDERATION OF BILLS

House File 1129, a bill for an act relating to a maximum mileage payment for members of the board of supervisors in counties of forty thousand population or less, was taken up for consideration.

Rex of Hamilton moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1129)

The ayes were, 77:

Alt	Gluba	McCormick	Schwartz
Anania	Grassley	McElroy	Schwieger
Andersen	Hamilton	Mendenhall	Shaw
Bennett	Hansen	Menefee	Skinner
Bergman	Hill	Middleswart	Small
Blouin	Holden	Millen	Sorg
Bray	Jesse	Miller	Stanley
Camp	Johnston	Monroe	Stokes
Campbell	Kehe	Nielsen	Strand
Clark	Kelly	Norpel	Strothman
Cochran	Kinley	Nystrom	Taylor
Curtis	Knoblauch	Patton	Tieden
Dougherty	Knoke	Pellett	Trowbridge
Doyle	Kreamer	Pierson	Varley
Drake	Kruse	Rex	Waugh
Dunton	Lawson	Rodgers	Welden
Egenes	Lipsky	Roorda	Willits
Ellsworth	Logemann	Sargisson	Winkelman
Fisher, C. R.	Mayberry	Schmeiser	Mr. Speaker
Freeman			

The nays were, 10:

Edelen	Moffitt	Stromer	Wells
Husak	Priebe	Uban	Wyckoff
Larson	Scott		

Absent or not voting, 13:

Christensen	Franklin	Mollett	Schroeder
Den Herder	Goode	Pelton	Siglin
Ewell	Kennedy	Radl	Wirtz
Fischer, H. O.			

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

SENATE FILE 334 DEFERRED

Senate File 334, a bill for an act relating to the vending of foods and beverages and providing a penalty, with report of committee recommending passage, was taken up for consideration.

Schroeder of Pottawattamie offered the following amendment filed by him:

Amend Senate File 334 as follows:

1. Page 3, line 4, by striking all after the period and all of lines 5 through 10.
2. Page 3, by striking all after the word "collect" in line 24 and all of lines 25 through 35 and inserting in lieu thereof the following: "two dollars for each vending machine operated."
3. Page 4, by striking lines 1 and 2.

Division of the amendment was requested, division 1 to be amendment 1, lines 1 through 3, and division 2 to be amendments 2 and 3, lines 4 through 9.

Small of Johnson asked and received unanimous consent that action on Senate File 334 be deferred and that the bill retain its place on the calendar.

(Senate File 334 and Schroeder amendment deferred.)

HOUSE FILE 1082 DEFERRED

House File 1082, a bill for an act relating to a course for persons convicted of operating a motor vehicle while under the influence of an alcoholic beverage, providing for the suspension of drivers licenses, providing for fees and providing a penalty, with report of committee recommending passage, was taken up for consideration.

(House File 1082 deferred and retained on the calendar.)

House File 544, a bill for an act relating to the soldiers relief commission, with report of committee recommending passage, was taken up for consideration.

Logemann of Worth moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 544)

The ayes were, 76:

Alt	Gluba	Menefee	Schwartz
Anania	Grassley	Middleswart	Schwieger
Andersen	Hamilton	Millen	Scott
Bergman	Hansen	Miller	Skinner
Blouin	Hill	Moffitt	Small
Camp	Husak	Monroe	Sorg
Campbell	Jesse	Nielsen	Stanley
Clark	Johnston	Norpel	Stokes
Cochran	Kehe	Nystrom	Strand
Curtis	Kelly	Patton	Stromer
Dougherty	Kinley	Pellet	Tieden
Doyle	Knoblauch	Priebe	Trowbridge
Drake	Knoke	Radi	Varley
Dunton	Kreamer	Rex	Waugh
Edelen	Lipsky	Rodgers	Wells
Egenes	Logemann	Roorda	Willits
Ellsworth	McCormick	Sargisson	Winkelman
Fischer, H. O.	McElroy	Schmeiser	Wyckoff
Freeman	Mendenhall	Schroeder	Mr. Speaker

The nays were, 3:

Bray	Shaw	Uban
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Absent or not voting, 21:

Bennett	Goode	Lawson	Siglin
Christensen	Holden	Mayberry	Strothman
Den Herder	Kennedy	Mollett	Taylor
Ewell	Kruse	Pelton	Welden
Fisher, C. R.	Larson	Pierson	Wirtz
Franklin			

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

House File 235, a bill for an act relating to rehearing and appeal procedures from Iowa state commerce commission action or decisions, with report of committee recommending amendment and passage, was taken up for consideration.

Curtis of Cherokee offered the following amendment filed by the committee on commerce and moved its adoption:

Amend House File 235 as follows:

1. Page 2, by inserting before line 1, the following new sections:

"Section three hundred twenty-two A point seventeen

(322A.17), Code 1971, is amended to read as follows:

322A.17 APPEAL. Any party to a hearing before the commission may take an appeal from any final order entered in such hearing in the manner provided for appeals in [section 322.10] *sections 490A.12 through 490A.19, inclusive, of the Code.*"

"Section three hundred twenty-five point twenty-one (325.21), Code 1971, is amended by striking the section and inserting in lieu thereof the following new section:

325.21 APPEAL. Appeal may be taken from the decision of the commission by the applicant or any party who appeared in opposition to the application as provided in sections four hundred ninety A point twelve (490A.12) through four hundred ninety A point nineteen (490A.19), inclusive, of the Code."

2. Page 2, line 7, by inserting after the word "necessity" the words "*and any appeal from any decision of the commission under the provisions of this chapter shall be taken as provided in sections 490A.12 through 490A.19, inclusive, of the Code*".

3. Page 2, by inserting after line 14 the following new section:

"Section four hundred seventy-nine point sixty-eight (479.68), Code 1971, is amended to read as follows:

479.68 DECISION. On such hearing, *the burden of proof shall be upon the respondent carriers.* [the] *The* commission shall establish the rates, in whole or in part, or others in lieu thereof, which it shall find to be just and reasonable. *Appeals from the decision of the commission by parties to the hearing may be taken as provided in sections 490A.12 through 490A.19, inclusive, of the Code.*"

4. Page 3, by inserting after line 2, the following new section:

"Section five hundred forty-three point ten (543.10), Code 1971, is amended to read as follows:

543.10 SUSPENSION OR REVOCATION OF LICENSE. **The** commission is empowered after hearing before it and upon information being filed with the commission by the duly authorized head of the warehouse division of the commission or upon complaint filed by any person to suspend or revoke the license of anyone licensed under this chapter for the violation of or failure to comply with the provisions of this chapter or any rule or regulation made in pursuance of the authority therefor granted under this chapter. An information or a verified complaint stating the grounds for suspension or revocation shall be filed with the commission in triplicate, and thereupon the commission shall serve the licensee complained against with a copy of the information or the complaint and a copy of the order of the commission fixing the time for hearing thereon,

which time shall be at least twenty days from the date of service. If the commission determines that the public good requires it, it may upon the filing of the information or the complaint and without hearing, temporarily suspend a license pending the determination by it of the complaint. Any licensee aggrieved by the decision of the commission may appeal said decision [to the district court by service of notice of appeal upon the commission within thirty days following the filing of the decision of the commission in the office of the commission. The commission shall forthwith upon service of notice of appeal certify the complete record of the proceedings before it to the office of the clerk of the district court. The appeal shall be tried by the court only upon the record so certified to the court] *as provided in sections 490A.12 through 490A.19, inclusive, of the Code.*"

5. Page 3, line 3, by striking the words "three hundred twenty-five point twenty-one".

6. Page 3, line 4, by striking the figure "(325.21)",.

7. Renumber sections and correct internal references as necessary to conform to this amendment.

The amendment was adopted.

Curtis of Cherokee moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 235)

The ayes were, 78:

Alt	Grassley	Menefee	Shaw
Anania	Hamilton	Middleswart	Skinner
Andersen	Hansen	Miller	Small
Bergman	Hill	Moffitt	Sorg
Blouin	Husak	Monroe	Stanley
Bray	Jesse	Nielsen	Stokes
Campbell	Johnston	Norpel	Strand
Clark	Kehe	Nystrom	Stromer
Cochran	Kelly	Patton	Taylor
Curtis	Kinley	Pellett	Tieden
Dougherty	Knoblauch	Priebe	Trowbridge
Doyle	Knoke	Radl	Uban
Drake	Kreamer	Rodgers	Varley
Dunton	Larson	Roorda	Waugh
Edelen	Logemann	Sargisson	Wells
Ellsworth	Lipsky	Schmeiser	Willits
Ewell	Mayberry	Schwartz	Winkelman
Fischer, H. O.	McCormick	Schwieger	Wyckoff
Freeman	McElroy	Scott	Mr. Speaker
Gluba	Mendenhall		

The nays were, none.

Absent or not voting, 22:

Bennett	Franklin	Millen	Schroeder
Camp	Goode	Mollett	Siglin
Christensen	Holden	Pelton	Strothman
Den Herder	Kennedy	Pierson	Welden
Egenes	Kruse	Rex	Wirtz
Fisher, C. R.	Lawson		

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

AMENDMENTS FILED

- 1 Amend the committee on social services amendment
- 2 to House File 524, filed February 2, 1972, by
- 3 striking all of lines 13 through 15 and inserting
- 4 in lieu thereof the following:
- 5 3. Page 10, by striking lines 13 and 14 and
- 6 inserting in lieu thereof the following:
- 7 "dollars per day for"

HILL of Polk
HOLDEN of Scott

- 1 Amend the committee on social services amendment
- 2 to House File 743, filed February 9, 1972, as follows:
- 3 1. Line 11, by striking the word "ten" and
- 4 inserting in lieu thereof the word "eleven".
- 5 2. Line 14, by striking the word "Nine" and
- 6 inserting in lieu thereof the word "Ten".

GLUBA of Scott
ANDERSEN of Woodbury
KINLEY of Polk
STANLEY of Linn
BLOUIN of Dubuque
CLARK of Lee
DOYLE of Woodbury
HANSEN of Black Hawk
COCHRAN of Webster
RADL of Linn
SCHWIEGER of Black Hawk
SMALL of Johnson
WELLS of Linn
DUNTON of Keokuk
PIERSON of Mahaska
NORPEL of Jackson
ANANIA of Polk
LOGEMANN of Worth

- 1 Amend Senate File 1014 as follows:
- 2 1. Page 2, line 8, by striking the word "fifty"
- 3 and inserting in lieu thereof the word "twenty-five".
- 4 2. Page 2, line 22, by striking the word "one-half"
- 5 and inserting in lieu thereof the word "one-fourth".

WYCKOFF of Benton

1 Amend House File 1080 as follows:

2 1. Page 2, line 9, by striking the words "first
3 Monday in [October] *December*" and inserting in lieu
4 thereof the words "[first Monday in October] *second*
5 *secular day of January*".

6 2. Page 2, line 13, by striking the words "first
7 Monday in [October] *December*" and inserting in lieu
8 thereof the words "[first Monday in October] *second*
9 *secular day of January*".

10 3. Page 2, line 30, by striking the words "first
11 Monday in [October] *December*" and inserting in lieu
12 thereof the words "[first Monday in October] *second*
13 *secular day of January*".

14 4. Page 2, line 34, by striking the words "first
15 Monday in [October] *December*" and inserting in lieu
16 thereof the words "[first Monday in October] *second*
17 *secular day of January*".

18 5. Page 3, lines 17 and 18, by striking the words
19 "first Monday in [October] *December* in the first year
20 after" and inserting in lieu thereof the words "[first
21 Monday in October in the first year after] *second*
22 *secular day of the January following*".

23 6. Page 3, by inserting after line 32, the fol-
24 lowing new sections:

25 1. "Sec. Section two hundred seventy-seven
26 point five (277.5), Code 1971, is amended by striking
27 the section and inserting in lieu thereof the follow-
28 ing:

29 277.5 **PRECINCTS FOR VOTING.** Voting precincts
30 shall be the same as those established by the county
31 board of supervisors or city council pursuant to
32 chapter 49."

33 2. "Sec. Section two hundred seventy-seven
34 point seven (277.7), Code 1971, is amended by striking
35 the section and inserting in lieu thereof the follow-
36 ing:

37 277.7 **POLLING PLACES.** The polling places for
38 school elections shall be the same as those estab-
39 lished for general and municipal elections."

40 7. Page 4, line 4, by striking the words "third
41 Monday in [September] *November*" and inserting in lieu
42 thereof the words "[third Monday in September] *second*
43 *secular day of January*".

44 8. Page 4, lines 15 and 16, by striking the words
45 "third Monday in [September] *November* immediately" and
46 inserting in lieu thereof the words "[third Monday in
47 September immediately] *second secular day of January*
48 *of the year*"

49 9. Page 4, line 31, by striking the words "first
50 Monday in [October] *December*" and inserting in lieu
51 thereof the words "[first Monday in October] *second*
52 *secular day of January*".

53 10. Page 5, line 2, by striking the words "first
54 Monday in [October] *December*" and inserting in lieu

55 thereof the words "[first Monday in October] *second*
56 *secular day of January*".

57 11. Page 5, lines 22 and 23, by striking the words
58 "first Monday in [October] *December*" and inserting in
59 lieu thereof the words "[first Monday in October] *second*
60 *secular day of the following January*".

61 12. Page 6, lines 5 and 6, by striking the words
62 "second Monday in December" and inserting in lieu
63 thereof the words "second secular day of the following
64 January".

65 13. Page 6, by inserting after line 6, the follow-
66 ing new section:

67 "Sec. Section two hundred seventy-seven point
68 six (277.6), Code 1971, is repealed."

KEHE of Bremer

1 Amend House File 1082 as follows:

2 1. Page 2, by striking lines 24 through 35, inclu-
3 sive, and inserting in lieu thereof the following:

4 "Sec. 3. When the court orders a person to enroll,
5 attend and successfully complete a course for drinking
6 drivers, the court shall also order that the revocation
7 of the person's drivers license shall be for an indefi-
8 nite period and until the required course is success-
9 fully completed and proof of completion has been filed
10 with the department of public safety and the provisions
11 of chapter three hundred twenty-one A (321A) of the
12 Code have been complied with."

13 2. Page 3, by striking lines 1 and 2.

14 3. Page 3, line 3, by striking the word "suspended"
15 and inserting in lieu thereof the words "revoked in-
16 definitely".

17 4. Page 3, line 14, by inserting after the word
18 "revocation" the words "under section three hundred
19 twenty-one point two hundred eighty-one (321.281) of
20 the Code."

21 5. By renumbering the sections and correcting ref-
22 erences.

CHRISTENSEN of Union

1 Amend the Lipsky amendment to House File 1082, found
2 on page 407 of the House Journal of Thursday, February
3 10, 1972, by inserting after the period in line 13, the
4 following:

5 "A person referred under this section shall be con-
6 sidered a state patient."

DOYLE of Woodbury

1 Amend House File 1082, page 3, line 11, by striking
2 all of line 11 and inserting in lieu thereof the follow-
3 ing:

4 "to and from his home, place of employment, in his
5 employment and the location".

SKINNER of Polk

1 Amend House File 1156 as follows:

2 1. Page 2, by striking lines 6 through 21, inclu-
3 sive, and inserting in lieu thereof the following:

4 "Sec. 2. There is created an Iowa world exposition
5 authority which shall have eleven members selected as
6 follows:

7 1. Four members appointed by the governor.

8 2. Two members of the senate appointed by the
9 president of the senate, not more than one of which
10 shall be from the same political party.

11 3. Two members of the house of representatives
12 appointed by the speaker of the house of representa-
13 tives, not more than one of which shall be from the
14 same political party.

15 4. The secretary of agriculture or his designee.

16 5. The director of the Iowa development commission
17 or his designee.

18 6. The dean of the college of agriculture, Iowa
19 state university of science and technology, or his
20 designee.

21 The appointive members shall be appointed for terms of
22 six years, except that of the initial authority member-
23 ship, the two members appointed by the president of
24 the senate shall be appointed to four-year terms and
25 the two members appointed by the speaker of the house
26 of representatives shall be appointed for two-year
27 terms. Any vacancy occurring during a term of office
28 shall be filled by appointment for the balance of the
29 unexpired term. The term of office of each appointive
30 member shall commence on the first day of July of the
31 year of the appointment, except that the appointive
32 members of the initial authority may assume the duties
33 of their office at an earlier date specified by the
34 governor. The governor shall designate a chairman and
35 vice chairman from the members of the authority. No
36 appointive member shall be appointed to serve more
37 than two consecutive six-year terms."

38 2. Page 3, by inserting after line 8 the following
39 new paragraph:

40 "The authority shall extend an invitation to the
41 directors of the international livestock exposition
42 to relocate their annual exposition in this state."

43 3. Page 3, by inserting after the period in line
44 30 the following:

45 "Before acquiring any real property by purchase to
46 be used as a site for the exposition, the authority
47 shall first investigate and consider the acquisition
48 of real property adjacent to the state fair grounds,
49 or any gift of real property, which may be suitable
50 for such purpose."

PRIEBE of Kossuth

On motion by Varley of Adair, the House adjourned until
10:00 a.m., Monday, February 14, 1972.

JOURNAL OF THE HOUSE

Thirty-sixth Calendar Day—Twenty-sixth Session Day

HALL OF THE HOUSE OF REPRESENTATIVES
DES MOINES, IOWA, MONDAY, FEBRUARY 14, 1972

The House met pursuant to adjournment, Speaker Harbor in the chair.

Prayer was offered by the Reverend Harold Opperman, pastor of the First Reformed Church, Meservey, Iowa.

The Journal of Friday, February 11, 1972, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Robert Manderscheid, Boone, Iowa.

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Twenty-two Boy Scouts from Cedar Rapids, Iowa, accompanied by their leader, Don Binder. By Lipsky of Linn.

PETITIONS FILED

The following petitions were received and placed on file:

By Strothman of Henry from one hundred twelve residents of Henry County favoring longevity pay for state employees.

By Kehe of Bremer from forty-seven residents of Bremer County favoring House File 1146, relating to educational television for northern Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Freeman of Buena Vista on request of Strand of Poweshiek; Knoblauch of Carroll indefinitely on request of Cochran of Webster.

REFERRED TO COMMITTEE ON APPROPRIATIONS
(House File 1024)

Fisher of Greene asked and received unanimous consent that **House File 1024** now on the House calendar be referred to the committee on appropriations, under Rule 31.

ADOPTION OF RULES OF THE COMMITTEE ON
NONCONTROVERSIAL BILLS

Sorg of Linn called up for consideration the rules of the committee on noncontroversial bills filed on February 10, 1972, and found on page 404 of the House Journal, and moved the adoption of the rules.

Motion prevailed and the rules were adopted.

INTRODUCTION OF BILLS

House File 1188, by Nystrom, a bill for an act relating to state participation in group insurance programs for state employees.

Read first time and referred to committee on state government.

House File 1189, by Schwieger, a bill for an act relating to abandoned railroad right-of-way.

Read first time and referred to committee on commerce.

House File 1190, by Blouin, a bill for an act relating to the contents of a safety deposit box or other security enclosure of a decedent.

Read first time and referred to committee on judiciary.

House File 1191, by Blouin, a bill for an act relating to penalties for malicious damage to property.

Read first time and referred to committee on judiciary.

House File 1192, by Stromer, a bill for an act relating to the issuance of special registration certificates to dealers and manufacturers, the transfer of registration, and imposition and collection of fees.

Read first time and referred to committee on commerce.

House File 1193, by committee on Iowa development, a bill

for an act relating to the design of motor vehicle registration plates.

Read first time and placed on the calendar.

House File 1194, by Freeman, Stanley, and Holden, a bill for an act relating to registration requirements of insurance dealers, cease and desist orders by the commissioner of insurance, public information and providing penalties.

Read first time and referred to committee on commerce.

House File 1195, by Winkelman, a bill for an act to establish a land preserve loan authority and to prescribe its purposes, duties and powers.

Read first time and referred to committee on Iowa development.

House File 1196, by Dunton, Alt, Sargisson, Hansen, Kruse, Taylor, Monroe, Andersen, Bennett, Clark, Edelen, Ellsworth, Gluba, Hill, Jesse, Kelly, Kreamer, Larson, Logemann, McCormick, McElroy, Millen, Miller, Moffitt, Nystrom, Radl, Small, Sorg, Stanley, Uban, Waugh, Willits, Winkelman, Wirtz, and Drake, a bill for an act relating to the planning for and conversion of Terrace Hill for use as a governor's mansion, and making an appropriation.

Read first time and referred to committee on state government.

House File 1197, by committee on ways and means, a bill for an act relating to property tax exemptions.

Read first time and placed on the calendar.

ADOPTION OF HOUSE MEMORIAL RESOLUTION

Camp of Clinton offered the following House memorial resolution and moved its adoption:

HOUSE MEMORIAL RESOLUTION

Whereas, The Honorable Charles G. Varney of Clinton County, who was a member of the Sixty-first session of the General Assembly from Clinton County, passed away on February 10, 1972; *Now, Therefore*,

Be It Resolved by the House of Representatives, That a committee of three be appointed by the Speaker of the House to prepare suitable resolutions commemorating his life, character, and service to the state.

The motion prevailed and the Speaker appointed as such committee Camp of Clinton, Pelton of Clinton and Norpel of Jackson.

SENATE MESSAGE CONSIDERED

Senate File 1070, a bill for an act relating to the approval, coordination, and supervision over electronic data processing for educational purposes.

Read first time and referred to committee on schools.

CONFERENCE COMMITTEE APPOINTED

(Senate File 431)

The Speaker announced the appointment of Tieden of Clayton, chairman; Christensen of Union, Kruse of O'Brien and Rodgers of Dallas, on the part of the House, as conferees concerning Senate File 431.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File 1089, a bill for an act relating to the grand jury.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File 1101, a bill for an act relating to taxation of real estate transfers and penalty for failure to comply.

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

House File 1104, a bill for an act relating to protective eyeglass lenses.

Also: That the President of the Senate has appointed as members of the conference committee on Senate File 431, a bill for an act relating to hunting restrictions, on the part of the Senate: the Senator from Woodbury, Mr. Erskine, Chairman; the Senator from Tama, Mr. Balloun; the Senator from Des Moines, Mr. Miller; and the Senator from Chickasaw, Mr. Shawver.

CARROLL A. LANE, Secretary of the Senate

SENATE AMENDMENT TO HOUSE FILE 1104

- 1 Amend House File 1104 as follows:
- 2 1. Page 1, by striking in line 21 the words "[Before they
- 3 are mounted in frames,]"; and by striking all of lines 22
- 4 through 25, inclusive.
- 5 2. Page 2, by striking lines 1 and 2, inclusive and by
- 6 striking in line 3 the words "[gasket on top edge.]" and by
- 7 inserting in lieu thereof the following:
- 8 "Before they are mounted in frames, all plastic and heat-
- 9 treated glass lenses shall be capable of withstanding an
- 10 impact test of a five-eighths inch steel ball dropped fifty

11 inches. This test to be conducted at room temperature,
 12 with the lens supported by a plastic tube one inch inside
 13 diameter, one and one-fourth inch outside diameter, with
 14 a one-eighth inch by one-eighth inch neoprene gasket on
 15 top edge."

16 3. Page 2, by striking lines 7 through 10, inclusive.

CONSIDERATION OF BILLS

REGULAR CALENDAR

House File 1047, a bill for an act relating to the lending and investing powers of savings and loan associations, with report of committee recommending passage, was taken up for consideration.

Alt of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1047)

The ayes were, 86:

Alt	Fisher, C. R.	Middleswart	Schwieger
Anania	Franklin	Millen	Scott
Andersen	Gluba	Miller	Shaw
Bennett	Grassley	Moffitt	Siglin
Bergman	Hamilton	Mollett	Small
Blouin	Hansen	Nielsen	Sorg
Bray	Hill	Norpel	Stanley
Camp	Holden	Nystrom	Strand
Campbell	Husak	Patton	Stromer
Christensen	Kelly	Pellett	Strothman
Clark	Kinley	Pelton	Taylor
Cochran	Knoke	Pierson	Tieden
Curtis	Kruse	Priebe	Trowbridge
Den Herder	Larson	Radl	Varley
Dougherty	Lawson	Rex	Waugh
Doyle	Lipsky	Rodgers	Wells
Drake	Logemann	Roorda	Willits
Dunton	Mayberry	Sargisson	Winkelman
Edelen	McCormick	Schmeiser	Wirtz
Egenes	McElroy	Schroeder	Wyckoff
Ellsworth	Mendenhall	Schwartz	Mr. Speaker
Fischer, H. O.	Menefee		

The nays were, 2:

Stokes Uban

Absent or not voting, 12:

Ewell	Jesse	Kennedy	Monroe
Freeman	Johnston	Knoblauch	Skinner
Goode	Kehe	Kreamer	Welden

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

SENATE FILE 202 DEFERRED

Senate File 202, a bill for an act relating to changing of names by individuals, was taken up for consideration.

Doyle of Woodbury asked and received unanimous consent to withdraw the amendment filed by him on March 30, 1971, and found on page 770 of the House Journal.

Doyle of Woodbury offered the following amendment filed by him and moved its adoption:

- 1 Amend Senate File 202 as follows:
- 2 1. Page 2, by adding the following after line 31:
- 3 "If the petitioner has a minor child, the petition
- 4 shall state this fact and shall state all the informa-
- 5 tion about the child that is required of a petitioner in
- 6 section three (3) of this chapter. If the minor child
- 7 is fourteen years of age or older he shall file his
- 8 written consent."
- 9 2. Page 3, by striking line 5, and inserting in lieu
- 10 thereof the following:
- 11 "or a minor child of the petitioner shall reflect the
- 12 former name of the person affected by the new birth
- 13 certificate."

The amendment was adopted.

Shaw of Scott offered the following amendment filed by her and moved its adoption:

Amend Senate File 202, page 2, by striking from line 5 the words "and is unmarried if a female,".

The amendment was adopted.

Shaw of Scott asked and received unanimous consent that Senate File 202 be deferred and that the bill retain its place on the calendar.

House File 67, a bill for an act relating to fees and mileage allowances of jurors, with report of committee recommending amendment and passage, was taken up for consideration.

Hill of Polk offered the following amendment filed by the committee on judiciary and moved its adoption:

- Amend House File 67 as follows:
1. By striking lines 6 through 16 and inserting in lieu thereof the following:
Grand jurors and petit jurors in all courts except a justice of the peace shall receive for each day's service or attendance, including attendance required for the purpose of being

considered for service, ten dollars, and for each mile traveled each day to and from their residences to the place of attendance, ten cents. No juror shall receive mileage for travel in the performance of his duties when he travels in a vehicle for which another juror is receiving mileage.

Petit jurors before a justice of the peace shall receive for each day's service or attendance one dollar, and no mileage shall be allowed jurors before justices.

The amendment was adopted.

Holden of Scott moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 67)

The ayes were, 79:

Alt	Fischer, H. O.	Menefee	Siglin
Anania	Fisher, C. R.	Middleswart	Sorg
Andersen	Franklin	Miller	Stanley
Bennett	Gluba	Moffitt	Stokes
Bergman	Grassley	Mollett	Strand
Blouin	Hamilton	Nielsen	Stromer
Bray	Hansen	Norpel	Strothman
Campbell	Hill	Nystrom	Taylor
Christensen	Holden	Patton	Tieden
Cochran	Husak	Pellett	Trowbridge
Curtis	Kelly	Pelton	Uban
Den Herder	Kinley	Priebe	Varley
Dougherty	Kreamer	Rodgers	Waugh
Doyle	Kruse	Roorda	Wells
Drake	Larson	Sargisson	Willits
Dunton	Lipsky	Schroeder	Winkelman
Edelen	Logemann	Schwartz	Wirtz
Egenes	Mayberry	Schwieger	Wyckoff
Ellsworth	McElroy	Scott	Mr. Speaker
Ewell	Mendenhall	Shaw	

The nays were, 8:

Camp	McCormick	Rex	Small
Clark	Radl	Schmeiser	Welden

Absent or not voting, 13:

Freeman	Kehe	Knoke	Monroe
Goode	Kennedy	Lawson	Pierson
Jesse	Knoblauch	Millen	Skinner
Johnston			

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

Senate File 1023, a bill for an act relating to county motor vehicle registration fees, with report of committee recommend-

ing passage, was taken up for consideration.

Schroeder of Pottawattamie moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 1023)

The ayes were, 84:

Alt	Fischer, H. O.	Menefee	Scott
Anania	Fisher, C. R.	Middleswart	Shaw
Andersen	Franklin	Miller	Siglin
Bennett	Gluba	Moffitt	Small
Bergman	Grassley	Mollett	Sorg
Blouin	Hamilton	Nielsen	Stanley
Bray	Hansen	Norpel	Stokes
Camp	Hill	Nystrom	Strand
Campbell	Holden	Patton	Stromer
Christensen	Husak	Pellett	Taylor
Clark	Kelly	Pierson	Tieden
Cochran	Kinley	Priebe	Trowbridge
Curtis	Kreamer	Radl	Varley
Den Herder	Kruse	Rex	Waugh
Dougherty	Larson	Rodgers	Welden
Doyle	Lipsky	Roorda	Wells
Drake	Logemann	Sargisson	Willits
Dunton	Mayberry	Schmeiser	Winkelman
Edelen	McCormick	Schroeder	Wirtz
Egenes	McElroy	Schwartz	Wyckoff
Ellsworth	Mendenhall	Schwieger	Mr. Speaker

The nays were, 2:

Strothman Uban

Absent or not voting, 14:

Ewell	Johnston	Knoke	Monroe
Freeman	Kehe	Lawson	Pelton
Goode	Kennedy	Millen	Skinner
Jesse	Knoblauch		

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

HOUSE FILE 1127 DEFERRED

House File 1127, a bill for an act relating to the possession and consumption of alcoholic liquors and beer on school grounds, with report of committee recommending amendment and passage, was taken up for consideration.

Taylor of Dubuque offered the following amendment filed by the committee on state government:

Amend House File 1127 as follows:

1. Page 1, line 12, by striking the words "or private".
2. Page 1, line 15, by adding after the period the following sentence:

"As used in this section 'public school' means a public school which provides teaching for any grade from kindergarten through grade twelve."

3. Page 1, line 1 of the title, by adding after the word "to" the words "a penalty for".

Willits of Polk offered, from the floor, the following amendment to the committee amendment and moved its adoption:

Amend the committee on state government amendment to House File 1127, line 5, by striking the word "public" wherever it appears in line 5.

The amendment to the amendment was adopted.

Taylor of Dubuque moved the adoption of the committee amendment as amended.

The committee amendment as amended was adopted.

(House File 1127 deferred and retained.)

The House was recessed until 1:30 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Harbor in the chair.

CONSIDERATION OF BILLS

REGULAR CALENDAR

The House resumed consideration of **House File 1082**, a bill for an act relating to a course for persons convicted of operating a motor vehicle while under the influence of an alcoholic beverage, providing for the suspension of drivers licenses, providing for fees and providing a penalty.

Christensen of Union offered the following amendment filed by him:

Amend House File 1082 as follows:

1. Page 2, by striking lines 24 through 35, inclusive, and inserting in lieu thereof the following:

"Sec. 3. When the court orders a person to enroll, attend and successfully complete a course for drinking drivers, the court shall also order that the revocation of the person's drivers license shall be for an indefinite period and until the required course is successfully completed and proof of completion has been filed with the department of public safety and the provisions of chapter three hundred twenty-one A (321A) of the Code have been complied with."

2. Page 3, by striking lines 1 and 2.

3. Page 3, line 3, by striking the word "suspended" and inserting in lieu thereof the words "revoked indefinitely".

4. Page 3, line 14, by inserting after the word "revocation" the words "under section three hundred twenty-one point two hundred eighty-one (321.281) of the Code."

5. By renumbering the sections and correcting references.

Christensen of Union offered from the floor the following amendment to his amendment and moved its adoption:

Amend the Christensen amendment to House File 1082, as found on page 429 of the House Journal of Friday, February 11, 1972, as follows:

1. By inserting the following after line 20:

5. Page 4, line 19, by striking the word "suspended" and inserting in lieu thereof the words "revoked indefinitely".

6. Page 4, line 24, by striking the word "suspension" and inserting in lieu thereof the word "revocation".

7. Page 4, line 26, by striking the word "suspension" and inserting in lieu thereof the word "revocation".

8. Page 1, line 3, by amending the title by striking the word "suspension" and inserting in lieu thereof the word "revocation".

2. By striking the numeral "5" in line 21 and inserting in lieu thereof the numeral "9".

The amendment to the amendment was adopted.

Christensen of Union moved the adoption of his amendment as amended.

The amendment as amended was adopted.

Lipsky of Linn offered the following amendment filed by her:

Amend House File 1082 as follows:

1. Page 2, by adding the following new section after line 23:

"Sec. After any conviction for operating a motor vehicle while under the influence of an alcoholic beverage under section three hundred twenty-one point two hundred eight-one (321.281) of the Code, the court may refer the defendant for treatment at a facility as defined in chapter one hundred twenty-three B (123B) of the Code. The court may prescribe the length of time for treatment or it may be left to the discretion of the facility to which the defendant was referred."

2. Page 2, line 26, by inserting after the word "shall" the following: ", in addition to suspension under section three hundred twenty-one point two hundred eighty-one (321.281) of the Code,".

3. Page 3, line 22, by inserting after the word "revocation" the words "under section three hundred twenty-one point two hundred eighty-one (321.281) of the Code".

4. By renumbering the bill sections to conform with this amendment.

Division of the amendment was requested.

Doyle of Woodbury offered the following amendment to amendment 1 of the Lipsky amendment:

Amend the Lipsky amendment to House File 1082, found on page 407 of the House Journal of Thursday, February 10, 1972, by inserting after the period in line 13, the following:

"A person referred under this section shall be considered a state patient."

The amendment to the amendment was adopted.

Lipsky of Linn moved the adoption of amendment 1, lines 1 through 13 as amended.

Amendment 1 as amended was adopted.

Lipsky of Linn asked and received unanimous consent to withdraw amendment 2, lines 14 through 17 of her amendment.

Lipsky of Linn moved the adoption of amendments 3 and 4, lines 18 through 23 of her amendment.

Amendments 3 and 4 were adopted.

Christensen of Union offered the following amendment filed by Skinner of Polk and moved its adoption:

Amend House File 1082, page 3, line 11, by striking all of line 11 and inserting in lieu thereof the following:

"to and from his home, place of employment, in his employment and location".

The amendment was adopted.

Lipsky of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1082)

The ayes were, 83:

Alt	Fischer, H. O.	Mendenhall	Schwieger
Anania	Fisher, C. R.	Menefee	Scott
Andersen	Franklin	Middleswart	Shaw
Bennett	Gluba	Millen	Siglin
Bergman	Grassley	Miller	Small
Blouin	Hamilton	Moffitt	Stanley
Bray	Hansen	Monroe	Stokes
Camp	Hill	Norpel	Strand
Campbell	Holden	Nystrom	Stromer
Christensen	Husak	Patton	Strothman
Clark	Kelly	Pellett	Taylor
Curtis	Kinley	Pelton	Tieden
Den Herder	Knoke	Pierson	Trowbridge
Dougherty	Kreamer	Priebe	Uban
Doyle	Larson	Radl	Wells
Drake	Lawson	Rex	Willits
Dunton	Lipsky	Rodgers	Winkelman
Edelen	Logemann	Roorda	Wirtz
Egenes	Mayberry	Sargisson	Wyckoff
Ellsworth	McCormick	Schmeiser	Mr. Speaker
Ewell	McElroy	Schwartz	

The nays were, 7:

Kehe	Mollett	Sorg	Welden
Kruse	Nielsen	Waugh	

Absent or not voting, 10:

Cochran	Jesse	Knoblauch	Skinner
Freeman	Johnston	Schroeder	Varley
Goode	Kennedy		

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

House File 1133, a bill for an act making corrective amendments to the "Iowa Beer and Liquor Control Act" by defining the phrase "intoxicating liquor"; changing the term of office of council members; allowing certain special permit holders to buy alcohol direct from distiller or wholesaler; amending the qualifications for the holding of certain special liquor permits; defining the authority of local issuing bodies upon initial issuance of liquor licenses and retail beer permits; changing the license fees for hotels and motels located outside corporate limits of cities and towns; correcting the omission of the words "and tax" in provisions relating to air common carriers; providing that certain refund provisions apply to all classes of retail beer permittees; providing notification of the transfer of location of the licensed premises for the retail sale of beer and liquor to the department and establishing a transfer fee by regulation; redefining areas in which retail licenses and permits may be granted; redefining the term "grocery store"; eliminating a conflict in

population factors; making uniform the time a penalty of license suspension might last for all classes of beer permit holders and the holders of certificates of compliance by brewers and importers of malt beverages; and, by providing that books of accounts and records of beer permittees shall be open to inspection by the enforcement division of beer and liquor department of public safety during normal business hours, was taken up for consideration.

Norpel of Jackson offered the following amendment filed by him and moved its adoption:

Amend House File 1133, page 5, line 32 by striking the words "may in its discretion" and inserting in lieu thereof the word "shall".

A non-record roll call was requested.

The ayes were 36, nays 36.

The amendment lost.

Blouin of Dubuque asked and received unanimous consent to withdraw the amendment filed by him on February 8, 1972, and found on pages 349 and 350 of the House Journal.

Norpel of Jackson moved that the vote by which the Norpel amendment failed to be adopted be reconsidered.

Rule 70 was invoked.

On the question "Shall the vote by which the Norpel amendment failed to be adopted be reconsidered?"

The ayes were, 45:

Anania	Fisher, C. R.	Mollett	Schwartz
Bennett	Franklin	Monroe	Scott
Blouin	Gluba	Norpel	Small
Bray	Husak	Patton	Strand
Camp	Kelly	Priebe	Taylor
Dougherty	Kinley	Radl	Tieden
Doyle	Larson	Rodgers	Waugh
Dunton	Mayberry	Roorda	Welden
Edelen	McCormick	Sargisson	Wells
Egenes	Middleswart	Schmeiser	Wirtz
Ellsworth	Miller	Schroeder	Wyckoff
Ewell			

The nays were, 40:

Alt	Den Herder	Holden	McElroy
Andersen	Drake	Kehe	Mendenhall
Bergman	Fischer, H. O.	Kreamer	Menefee
Campbell	Grassley	Kruse	Millen
Christensen	Hamilton	Lawson	Moffitt
Clark	Hansen	Lipsky	Nielsen
Curtis	Hill	Logemann	Pellett

Pierson
Schwieger
Shaw

Sorg
Stanley
Stokes

Strothman
Trowbridge
Uban

Willits
Winkelman
Mr. Speaker

Absent or not voting, 15:

Cochran
Freeman
Goode
Jesse

Johnston
Kennedy
Knoblauch
Knoke

Nystrom
Pelton
Rex
Siglin

Skinner
Stromer
Varley

The motion prevailed.

Norpel of Jackson reoffered the following amendment filed by him and moved its adoption:

Amend House File 1133, page 5, line 32, by striking the words "may in its discretion" and inserting in lieu thereof the word "shall".

Roll call was requested by Norpel of Jackson and Mollett of Pottawattamie.

Rule 70 was invoked.

On the question "Shall the amendment be adopted?"

The ayes were, 36:

Anania
Blouin
Bray
Camp
Christensen
Dougherty
Doyle
Edelen
Ewell

Franklin
Husak
Kehe
Kinley
Larson
Mayberry
McCormick
Mollett
Monroe

Norpel
Patton
Priebe
Radl
Rodgers
Schmeiser
Schroeder
Schwartz
Small

Strand
Taylor
Tieden
Uban
Waugh
Welden
Wells
Wirtz
Wyckoff

The nays were, 50:

Alt
Andersen
Bennett
Bergman
Campbell
Clark
Curtis
Den Herder
Drake
Dunton
Egenes
Ellsworth
Fischer, H. O.

Fisher, C. R.
Gluba
Grassley
Hamilton
Hansen
Hill
Holden
Kelly
Kreamer
Kruse
Lawson
Lipsky
Logemann

McElroy
Mendenhall
Menefee
Middleswart
Millen
Miller
Moffitt
Nielsen
Pellett
Pierson
Rex
Roorda

Sargisson
Schwieger
Scott
Shaw
Sorg
Stanley
Stokes
Strothman
Trowbridge
Willits
Winkelman
Mr. Speaker

Absent or not voting, 14:

Cochran
Freeman
Goode
Jesse

Johnston
Kennedy
Knoblauch
Knoke

Nystrom
Pelton
Siglin

Skinner
Stromer
Varley

The amendment lost.

Campbell of Washington offered from the floor the following amendment filed by him and Lipsky of Linn and moved its adoption:

Amend House File 1133, page 6, line 29, by striking the word "or" and inserting in lieu thereof the word "and".

A non-record roll call was requested.

The ayes were 29, nays 48.

The amendment lost.

Kelly of Woodbury moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1133)

The ayes were, 70:

Alt	Fisher, C. R.	Middleswart	Sorg
Anania	Gluba	Millen	Stanley
Andersen	Hamilton	Monroe	Strand
Bennett	Hansen	Norpel	Stromer
Bergman	Hill	Nystrom	Strothman
Blouin	Kehe	Patton	Taylor
Bray	Kelly	Priebe	Tieden
Camp	Kinley	Radl	Trowbridge
Christensen	Knoke	Rex	Uban
Clark	Kreamer	Rodgers	Waugh
Curtis	Larson	Sargisson	Welden
Doyle	Lawson	Schmeiser	Wells
Drake	Lipsky	Schroeder	Willits
Edelen	Logemann	Schwartz	Winkelman
Egenes	Mayberry	Schwieger	Wirtz
Ellsworth	McCormick	Shaw	Wyckoff
Ewell	McElroy	Small	Mr. Speaker
Fischer, H. O.	Menefee		

The nays were, 17:

Campbell	Holden	Miller	Pierson
Den Herder	Husak	Moffitt	Roorda
Dougherty	Kruse	Nielsen	Scott
Dunton	Mendenhall	Pellett	Stokes
Grassley			

Absent or not voting, 13:

Cochran	Jesse	Mollett	Skinner
Franklin	Johnston	Pelton	Varley
Freeman	Kennedy	Siglin	
Goode	Knoblauch		

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

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Miller of Marshall, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate Files 77, 203 and 1013.

ELIZABETH R. MILLER
Chairman, House Committee
JOHN C. RHODES
Chairman, Senate Committee

Report adopted.

BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House the following bills: Senate Files 77, 203 and 1013.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on February 11, 1972, he approved and transmitted to the Secretary of State the following bills:

House File 254, an act relating to the rate of interest which may be paid by a real estate investment trust.

House File 677, an act relating to corrective amendments to the statute on self-liquidating improvements.

House File 695, an act to appropriate from the motor vehicle fuel tax fund for the biennium beginning July 1, 1971, and ending June 30, 1973, to the State Comptroller.

House File 1014, an act relating to disposition of obsolete instruments in the County Recorder's Office.

House File 1015, an act relating to disposition of obsolete copies of hunting, fishing and trapping licenses.

House File 1016, an act relating to the use of fees and funds received by the Iowa Soldiers Home.

AMENDMENTS FILED

- 1 Amend House File 524 as follows:
- 2 1. Page 2, by striking lines 3 through 11, inclu-
- 3 sive, and inserting in lieu thereof the following:
- 4 "1. The following classes of persons shall be deemed
- 5 to be engaged in the practice of optometry:
- 6 a. Persons employing any means other than the use
- 7 of drugs, medicine or surgery for the measurement of
- 8 the visual power and visual efficiency of the human
- 9 eye, the prescribing and adapting of lenses, prisms
- 10 and contact lenses, and the using or employing of visual

11 training or ocular exercise, for the aid, relief or
12 the correction of vision.

13 b. Persons who allow the public to use any mechani-
14 cal device for such purpose.

15 c. Persons who publicly profess to be optometrists
16 and to assume the duties incident to said profession."

17 2. Page 2, by striking lines 17 through 20, inclu-
18 sive, and inserting in lieu thereof the following:

19 "Sec. 2. EXEMPTIONS. This Act shall not be con-
20 strued to include the following classes:

21 1. Merchants or dealers who sell glasses as mer-
22 chandise in an established place of business and who
23 do not profess to be optometrists or practice optometry
24 as herein defined.

25 2. Licensed physicians and surgeons."

26 3. Page 2, line 25, by striking the number "1971"
27 and inserting in lieu thereof the number "1972".

28 4. Page 8, by striking lines 29 through 35, inclu-
29 sive, and inserting in lieu thereof the following:

30 "Sec. 19. OPHTHALMIC LENSES—SALE. It shall be un-
31 lawful for any person to dispense and adapt contact
32 lenses or any other ophthalmic lens or lenses, without
33 first having obtained a written prescription or order
34 therefor from a duly licensed practitioner referred
35 to in this Act, or other practitioner authorized to
36 write said prescription or orders. Each such
37 practitioner shall furnish his patient without charge
38 a copy of his patient's prescription. For the purpose
39 of this section, an ophthalmic lens shall mean one which
40 has been ground to fill the requirements of a particular
41 prescription."

42 5. Page 10, by striking lines 8 through 21, inclu-
43 sive.

44 6. By renumbering sections and subsections to con-
45 form to this amendment.

KREAMER of Polk
SCHWIEGER of Black Hawk
CHRISTENSEN of Union
FREEMAN of Buena Vista

1 Amend the committee on social services amendment
2 to House File 743, filed February 9, 1972, as follows:

3 1. Line 53, by striking the words "paragraph a of",
4 and inserting in lieu thereof the words "paragraph b
5 of".

HOLDEN of Scott

1 Amend House File 1044 as follows:

2 1. Page 1, line 14, by inserting after the word
3 "lands" the words "*within the county*".

4 2. Page 1, line 15, by inserting after the word
5 "landfill," the words "*except that such county may*
6 *condemn land for sanitary landfill purposes in another*

7 county if such condemnation is approved by the board
8 of supervisors of the other county,".

RODGERS of Dallas

1 Amend House File 1143 as follows:
2 1. Page 2, line 5, by inserting after the word
3 "customer" the words "*if the total amount loaned is*
4 *ten thousand dollars or less, and at a rate not to*
5 *exceed five dollars per annum upon each one hundred*
6 *dollars actually loaned to the customer, if the total*
7 *amount loaned is over ten thousand dollars*".

8 2. Page 2, line 16, by inserting after the word
9 "balances" the words "*if the total amount loaned is*
10 *ten thousand dollars or less, and at a rate not to*
11 *exceed five-sixths of one percent per month computed*
12 *on unpaid principal balances, if the total amount*
13 *loaned is over ten thousand dollars*".

SMALL of Johnson

1 Amend House File 1156 as follows:
2 1. Page 2, line 8, by inserting after the comma
3 the following: "with the approval of two-thirds of
4 the members of the senate,".
5 2. Page 2, line 20, by striking the word "complete"
6 and inserting in lieu thereof the word "consecutive".
7 3. Page 4, lines 25 and 26, by striking the
8 following: "with the approval of two-thirds of the
9 members of the senate,".
10 4. Page 4, line 30, by striking the word "support"
11 and inserting in lieu thereof the word "approval".
12 5. Page 4, line 33, by striking the words "Direct
13 and administer" and inserting in lieu thereof the
14 word "Administer".

WINKELMAN of Calhoun
STANLEY of Linn

1 Amend House File 1156, page 4, by striking all
2 of lines 11 through 13.

SMALL of Johnson

1 Amend House File 1156, page 2, by striking all
2 after the period in line 18 and all of line 19.

TAYLOR of Dubuque

1 Amend the Priebe amendment to House File 1156,
2 filed February 11, by striking all after the period
3 in line 34 and through the period in line 35.

TAYLOR of Dubuque

1 Amend House File 1169 as follows:
2 Page 1, line 25, by adding after the period the
3 following:
4 "Whenever a person who is arrested is found inno-
5 cent, or a complaint or information against a person

6 is dismissed, any record regarding such arrest, com-
7 plaint, or information shall be expunged."

SMALL of Johnson

1 Amend Senate File 202 as follows:

2 1. Page 2, line 30, by striking the word "wife"
3 and inserting in lieu thereof the words "or her
4 spouse".

5 2. Page 2, line 31, by inserting after the
6 word "file" the words "his or".

SHAW of Scott

1 Amend the amendment by Johnston of Johnson to Senate File 202 in
2 line 5 by striking the word "shall" and substituting
3 in lieu thereof the word "may."

LIPSKY of Linn

1 Amend Senate File 356 as follows:

2 1. Page 2, by striking all of lines 1 and 2.

3 2. Page 2, by striking all of lines 3 through
4 21 and inserting in lieu thereof the following:
5 "Sec. 2. Section six hundred ninety-five point
6 six (695.6), Code 1971, is amended by adding thereto
7 the following:

8 3. Page 2, by striking from line 28 the words
9 "one-half of".

10 4. Page 2, line 29, by inserting a period after
11 the word "fund".

12 5. Page 2, by striking all of lines 30 and 31
13 and the word "year." from line 32.

14 6. Page 2, by striking all after the period
15 in line 35 and all of lines 1 through 3 on page 3.

16 7. Page 4, by striking from lines 14 and 15
17 the following: "*or a certified copy of the records*
18 *of the commissioner of public safety*".

TAYLOR of Dubuque
PATTON of Buchanan
ELLSWORTH of Dubuque
WYCKOFF of Benton

1 Amend the committee on judiciary amendment to Sen-
2 ate File 428 as amended, passed and reprinted as fol-
3 lows:

4 1. By striking lines 43 through 47, inclusive,
5 and inserting in lieu thereof the following:

6 "6. In those judicial districts that contain
7 judicial election districts, no vacancy in any judicial
8 election district shall be filled if the total number
9 of judges in all judicial election districts within
10 the judicial district equals or exceeds the number
11 of judgeships to which all of the judicial election
12 districts of a judicial district combined are
13 authorized."

14 2. By striking lines 98 through 114, inclusive,

15 and inserting in lieu thereof the following:

16 "11. Page 3, by striking lines 19 through 21,
17 inclusive, and inserting in lieu thereof the following:

18 'Sec. 7. APPOINTMENT AND TERMINATION. Before

19 April 1, 1973 and before April first of each year
20 thereafter, the district judges of each judicial
21 district, sitting en banc, shall, by majority vote,
22 appoint Iowa district magistrates in such number as
23 provided in section of this Act, and at such'.

24 12. Page 3, line 25, by striking the words
25 'increase or'.

26 13. Page 3, by striking lines 28 and 29 and in-
27 serting in lieu thereof the following:

28 'of the judicial election district nominating
29 commission of the judicial election district within
30 which the magistrate resides within thirty days,
31 failing which the appointment'."

32 3. By striking lines 130 through 144, inclusive,
33 and inserting in lieu thereof the following:

34 "18. Page 4, by inserting after line 12, the
35 following:

36 The electors residing within a judicial district
37 may petition the judges of the district court to
38 terminate the appointment of a district magistrate
39 sitting in that district. Such petition shall be
40 signed by at least two percent of the **qualified**
41 electors of the judicial district and shall contain
42 a general statement of the grounds upon which termina-
43 tion is sought. Within thirty days after the petition
44 is filed with the clerk of the district court of the
45 county in which the district magistrate resides, the
46 district judges of that district sitting en banc shall
47 hold a hearing to determine the sufficiency and the
48 merits of such petition and shall determine whether
49 to continue or terminate the appointment of such
50 district magistrate.

51 Sec. ALLOTMENT. During January of each year
52 the supreme court administrator shall determine the
53 number of magistrates to which each judicial district
54 is entitled by taking the average of:

55 1. The number of judgeships to which the judicial
56 district is entitled multiplied by one and one-half,
57 and;

58 2. The number of counties within the judicial
59 district multiplied by one and one-half.

60 If the average so obtained contains a fraction
61 of one-half or less, the result shall be reduced to
62 the nearest whole number. If the average so obtained
63 contains a fraction above one-half, the result shall
64 be increased to the next whole number."

65 4. By striking line 168, and inserting in lieu
66 thereof the following: "lieu thereof the words 'from
67 the general fund of the state.'"

68 5. By adding after line 180, the following:

69 "District magistrates shall be members of the Iowa
70 public employees retirement system."

71 6. Line 199, by striking the word "magistration",
72 and inserting in lieu thereof the word "magistrates".

73 7. By adding after line 206, the following:

74 "Page 6, by striking lines 3 and 4, and inserting
75 in lieu thereof the following: 'resides shall furnish
76 the district magistrate, or district judge acting
77 as district magistrate, a docket, in which shall be
78 entered all proceedings except small claims.'"

79 8. By striking lines 514 through 516, inclusive,
80 and inserting in lieu thereof the following:

81 "52. Page 12, lines 17 and 18, by striking the
82 word 'summons', and inserting in lieu thereof the
83 word 'citation'."

84 9. By striking line 520, and inserting in lieu
85 thereof the following:

86 "54. Page 13, lines 21 and 23, by striking the
87 word".

88 10. By striking lines 539 through 546, inclusive,
89 and inserting in lieu thereof the following:

90 "61. Page 15A, by striking lines 1 through 12,
91 inclusive, and inserting in lieu thereof the follow-
92 ing:

93 'of the district court.

94 Sec. 28. JURISDICTION OF THE SMALL CLAIMS COURT.

95 The small claims court shall have jurisdiction over
96 civil actions for money damages where the amount in
97 controversy in money is five hundred dollars or less,
98 exclusive of interest and costs, and actions for
99 forcible entry and detainer. Small claims shall be
100 commenced, heard, and determined in accordance with
101 section twenty-seven (27)."

102 11. By striking lines 765 through 767, inclusive.

COMMITTEE ON JUDICIARY
PELTON of Clinton, Chairman

On motion by Kreamer of Polk, the House adjourned until
9:00 a.m., Tuesday, February 15, 1972.

JOURNAL OF THE HOUSE

Thirty-seventh Calendar Day—Twenty-seventh Session Day

HALL OF THE HOUSE OF REPRESENTATIVES
DES MOINES, IOWA, TUESDAY, FEBRUARY 15, 1972

The House met pursuant to adjournment, Speaker Harbor in the chair.

Prayer was offered by the Reverend Robert Snyder, pastor of the Zion Lutheran Church, Humboldt, Iowa.

The Journal of Monday, February 14, 1972, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. James Hill, Boone, Iowa.

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber.

Eight Boy Scouts making their annual Scouting Report to the Governor representing the eight Scout Councils serving Iowa as follows: Mark Draper of Council Bluffs, Mid America Council; Curtis Liscum, Fort Dodge, Prairie Gold Council; Dan Larson, Cresco, Winnebago Council; Chip Bunce, Des Moines, Mid Iowa Council; Thomas Larson, Cedar Rapids, Hawkeye Area Council; Bart Balog of Fort Madison, Southeast Iowa Council; Jack Munter, Strawberry Point, Northeast Iowa Council; and Randy Odem, Davenport, Illowa Council.

Forty Cub Scouts from Troop 160, Mechanicsville, Iowa, accompanied by their leader, Chuck Swehla. By Hamilton of Cedar.

Twelve Boy Scouts from Troop 44, Cedar Rapids, Iowa, accompanied by their leader, Charles Groff. By Sorg of Linn.

Twenty Boy Scouts from Troop 766, Cedar Rapids, Iowa, accompanied by their leader, Dick Western. By Lipsky of Linn.

Twenty-nine fifth grade students from Douglas School, Des Moines, Iowa, accompanied by their instructors, Mrs. Sterling and Mrs. Zaun. By Skinner of Polk.

Sixteen Cadette Girl Scouts from Atlantic, Iowa, accompanied by their leaders, Mrs. Gene Mallette, Mrs. Jim Cummings and Mrs. Kenneth Huitt. By Pellett of Cass.

ANNIVERSARY CONGRATULATIONS

Clark of Lee rose on a point of personal privilege and on behalf of the House extended wedding anniversary congratulations to the Honorable Floyd Millen and Mrs. Millen on their thirtieth anniversary.

PETITIONS FILED

The following petitions were received and placed on file:

By Lipsky of Linn from thirty-nine residents of Cedar Rapids opposing House File 1197 relating to the taxing of church parsonages.

By Wells of Linn from one hundred seventy-five residents of Linn County opposing the motorcycle inspection guidelines as proposed by the Safety Commissioner.

By Campbell of Washington from forty-one residents, and McCormick of Delaware from fifty-seven residents of Delaware County, opposing Senate File 356, relating to carrying concealed weapons.

By Varley of Adair from thirty-nine employees of the Stuart-Menlo Community School System, and McElroy of Fremont from forty-eight residents of Fremont and Page Counties, opposing House File 1011 relating to lowering the legal age to purchase drink and alcoholic beverages to age eighteen.

INTRODUCTION OF BILLS

House File 1198, by committee on judiciary, a bill for an act relating to the appeal of a condemnation award.

Read first time and placed on the calendar.

House File 1199, by committee on social services, a bill for an act to clarify legal settlement of minor children residing in institutions.

Read first time and placed on the calendar.

House File 1200, by committee on social services, a bill for an act relating to postmortem examinations.

Read first time and placed on the calendar.

House File 1201, by Strothman, a bill for an act relating to civil liability for criminal acts and providing for restitution to victims of crimes.

Read first time and referred to committee on law enforcement.

House File 1202, by Strothman, a bill for an act relating to civil liability for criminal acts.

Read first time and referred to committee on judiciary.

House File 1203, by committee on judiciary, a bill for an act relating to erroneous and obsolete references in the Code of Iowa.

Read first time and placed on the calendar.

House File 1204, by Andersen, a bill for an act relating to the sales tax exemptions.

Read first time and referred to committee on ways and means.

House File 1205, by Kreamer, a bill for an act relating to motor vehicle accident reports.

Read first time and referred to committee on judiciary.

House File 1206, by Knoke, a bill for an act relating to the expenditure of county funds for membership in county officers associations.

Read first time and referred to committee on county government.

House File 1207, by committee on conservation and recreation, a bill for an act relating to the hunting of migratory waterfowl, the issuance of stamps, and the collection of fees.

Read first time and placed on the calendar.

House File 1208, by Uban, Grassley, and Fisher of Greene, a bill for an act to appropriate funds from the beer and liquor control fund to the Iowa commission on alcoholism.

Read first time and referred to committee on appropriations.

House File 1209, by Knoke, a bill for an act relating to the salaries of county attorneys.

Read first time and referred to committee on appropriations.

House File 1210, by Kreamer, a bill for an act to prohibit the expansion of certain curricula at the area schools.

Read first time and referred to committee on schools.

SENATE MESSAGE CONSIDERED

Senate File 1089, a bill for an act relating to the grand jury.

Read first time and referred to committee on judiciary.

HOUSE CONCURRENT RESOLUTION 110

By Campbell

Whereas, trees and shrubs add immeasurably to the esthetic beauty of the cities, towns, and rural areas of Iowa; and

Whereas, trees and shrubs provide excellent protection and shelter for domestic animals as well as wildlife; and

Whereas, trees and shrubs, planted as windbreaks and shelter belts near homes, reduce the loss of heat and the consumption of essential fossil fuel resources; and

Whereas, the conservation of our nation's supply of lumber resources should be continually emphasized, Now, Therefore,

Be It Resolved by the House of Representatives, the Senate Concurring, That the Sixty-fourth General Assembly encourages each citizen of Iowa to observe Arbor Day, to be designated by proclamation of the Governor as April 28, 1972, by planting a tree or shrub.

Laid over under Rule 25.

CONSIDERATION OF BILLS

REGULAR CALENDAR

House File 1169, a bill for an act requiring a report of the disposition of all persons whose arrest has been reported to the division of criminal investigation and the bureau of identification, was taken up for consideration.

Small of Johnson offered the following amendment filed by him and moved its adoption:

Amend House File 1169 as follows:

Page 1, line 25, by adding after the period the following:

"Whenever a person who is arrested is found innocent, or a complaint or information against a person is dismissed, any record regarding such arrest, complaint, or information shall be expunged."

A non-record roll call was requested.

The ayes were 28, nays 48.

The amendment lost.

Bray of Scott moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1169)

The ayes were, 85:

Alt	Freeman	Middleswart	Shaw
Anania	Gluba	Millen	Siglin
Andersen	Grassley	Miller	Small
Bennett	Hamilton	Moffitt	Sorg
Bergman	Hansen	Monroe	Stanley
Blouin	Hill	Nielsen	Stokes
Bray	Holden	Norpel	Strand
Camp	Kehe	Nystrom	Stromer
Campbell	Kelly	Patton	Strothman
Christensen	Kinley	Pellett	Taylor
Clark	Knoke	Pelton	Tieden
Cochran	Kreamer	Pierson	Trowbridge
Curtis	Kruse	Priebe	Uban
Den Herder	Lawson	Radl	Varley
Dougherty	Lipsky	Rex	Waugh
Doyle	Logemann	Rodgers	Welden
Dunton	Mayberry	Roorda	Willits
Edelen	McCormick	Sargisson	Winkelman
Ellsworth	McElroy	Schmeiser	Wirtz
Ewell	Mendenhall	Schroeder	Wyckoff
Fischer, H. O.	Menefee	Scott	Mr. Speaker
Fisher, C. R.			

The nays were, none.

Absent or not voting, 15:

Drake	Husak	Knoblauch	Schwieger
Egenes	Jesse	Larson	Skinner
Franklin	Johnston	Mollett	Wells
Goode	Kennedy	Schwartz	

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

House File 1099, a bill for an act providing for an appraisal staff and appraisal manual in the department of revenue, with report of committee recommending amendment and passage, was taken up for consideration.

Camp of Clinton offered the following amendment filed by the committee on appropriations and moved its adoption:

Amend House File 1099, by adding after line 19, page 2, the following new section:

"Sec. 3. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1972 and ending June 30, 1973, the sum of fifty thousand (50,000) dollars, or so much thereof as may be necessary, to the department of revenue, for salaries of appraisers and the preparation and publication of an appraisal manual."

The amendment was adopted.

Camp of Clinton offered the following amendment from the floor and moved its adoption:

Amend the title to House File 1099, line 2, by inserting after the word "revenue" the words ", and to make an appropriation therefor".

The amendment was adopted.

Den Herder of Sioux moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1099)

The ayes were, 85:

Alt	Franklin	Middleswart	Shaw
Anania	Freeman	Millen	Siglin
Andersen	Gluba	Miller	Small
Bennett	Grassley	Moffitt	Sorg
Bergman	Hamilton	Monroe	Stanley
Blouin	Hansen	Nielsen	Stokes
Bray	Hill	Nystrom	Strand
Camp	Holden	Patton	Stromer
Campbell	Kehe	Pellett	Strothman
Christensen	Kinley	Pelton	Taylor
Clark	Knoke	Pierson	Tieden
Cochran	Kreamer	Priebe	Trowbridge
Curtis	Kruse	Radl	Uban
Den Herder	Larson	Rex	Varley
Dougherty	Lawson	Rodgers	Waugh
Doyle	Lipsky	Roorda	Wells
Drake	Logemann	Sargisson	Willits
Dunton	Mayberry	Schmeiser	Winkelman
Edelen	McCormick	Schroeder	Wirtz
Ellsworth	McElroy	Schwartz	Wyckoff
Fischer, H. O.	Menefee	Scott	Mr. Speaker
Fisher, C. R.			

The nays were, 4:

Ewell	Husak	Mendenhall	Norpel
-------	-------	------------	--------

Absent or not voting, 11:

Egenes	Johnston	Knoblauch	Skinner
Goode	Kelly	Mollett	Welden
Jesse	Kennedy	Schwieger	

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

SENATE AMENDMENTS CONSIDERED

HOUSE FILE 33 DEFERRED

Holden of Scott called up for consideration House File 33, a bill for an act relating to distance requirements for pipeline regulation, amended by the Senate as follows:

Amend House File 33 as passed by the House as follows:

1. Page 1, line 5, by striking the words "is amended as follows". and inserting in lieu thereof the following:

"as amended by chapter two hundred thirty-nine (239), section three (3), Acts of the Sixty-fourth General Assembly, First Session, is further amended as follows:"

2. Page 2, by inserting after line 11 the following new paragraph:

"An informational meeting is not required when the pipeline extends a distance of less than five miles across privately owned property."

3. Page 2, by striking lines 15 through 28, inclusive, and inserting in lieu thereof the following:

"The person, company, or corporation seeking the permit shall give notice of the informational meeting to each person, company, or corporation determined to be the landowner affected by the proposed project and any person, company or corporation in possession of or residing on the property. For the purposes of this section, 'landowner' means a person, company or corporation listed on the tax assessment rolls as responsible for the payment of real estate taxes imposed on the property and 'pipeline' means any line transporting any solid, liquid, or gaseous substance, except water, under pressure in excess of one hundred fifty pounds per square inch and extending a distance of not less than five miles or future anticipated extension of an overall distance of five miles."

Norpel of Jackson moved that action on House File 33 be deferred and that the bill retain its place on the calendar.

A non-record roll call was requested.

The ayes were 37, nays 44.

The motion lost.

Cochran of Webster offered the following amendment from the floor:

Amend the Senate amendment to House File 33, page 1, line 10 by striking the words "*five miles*" and inserting in lieu thereof the words "*one mile*".

Uban of Black Hawk offered from the floor the following substitute amendment to the Cochran amendment:

Amend the Senate amendment to House File 33 as follows:

1. Line 10 by striking the words "*five miles*" and inserting in lieu thereof the words "*one mile*".

2. Line 25 by striking the words "*five miles*" and inserting in lieu thereof the words "*one mile*".

3. Line 26 by striking the words "*five miles*" and inserting in lieu thereof the words "*one mile*".

(House File 33 and the Uban substitute amendment pending at recess.)

The House was recessed until 1:30 p.m.

AFTERNOON SESSION

The House reconvened, Speaker pro tempore Millen in the chair.

The House resumed consideration of the Uban substitute amendment to the Cochran amendment.

Uban of Black Hawk moved the adoption of his amendment.

Roll call was requested by Uban of Black Hawk and Blouin of Dubuque.

On the question "Shall the Uban substitute amendment be adopted?"

The ayes were, 32:

Blouin	Gluba	Norpel	Scott
Bray	Husak	Patton	Siglin
Cochran	Kelly	Priebe	Skinner
Dougherty	Kinley	Radl	Small
Doyle	Larson	Rodgers	Uban
Ellsworth	Mayberry	Sargisson	Wells
Ewell	McCormick	Schmeiser	Willits
Franklin	Monroe	Schwartz	Wyckoff

The nays were, 45:

Alt	Hansen	Menefee	Strand
Andersen	Hill	Miller	Stromer
Bergman	Holden	Moffitt	Strothman
Campbell	Kehe	Nystrom	Taylor
Clark	Knoke	Pellett	Trowbridge
Curtis	Kreamer	Pierson	Varley
Drake	Kruse	Schroeder	Waugh
Edelen	Lawson	Shaw	Welden
Egenes	Lipsky	Sorg	Winkelman
Fischer, H. O.	Logemann	Stanley	Mr. Speaker
Freeman	McElroy	Stokes	(Millen)
Hamilton	Mendenhall		

Absent or not voting, 23:

Anania	Fisher, C. R.	Kennedy	Rex
Bennett	Goode	Knoblauch	Roorda
Camp	Grassley	Middleswart	Schwieger
Christensen	Harbor	Mollett	Tieden
Den Herder	Jesse	Nielsen	Wirtz
Dunton	Johnston	Pelton	

The substitute amendment lost.

Cochran of Webster asked and received unanimous consent to withdraw his amendment.

Blouin of Dubuque moved that House File 33 be deferred and that the bill retain its place on the calendar.

Roll call was requested by Norpel of Jackson and Blouin of Dubuque.

On the question "Shall House File 33 be deferred?"

The ayes were, 27:

Blouin	Gluba	Norpel	Skinner
Bray	Husak	Patton	Small
Cochran	Larson	Priebe	Uban
Dougherty	Mayberry	Rodgers	Wells
Doyle	McCormick	Sargisson	Willits
Ewell	Middleswart	Schmeiser	Wyckoff
Franklin	Monroe	Scott	

The nays were, 52:

Alt	Freeman	Mendenhall	Sorg
Andersen	Hamilton	Menefee	Stanley
Bergman	Hansen	Miller	Stokes
Camp	Hill	Moffitt	Strand
Campbell	Holden	Nystrom	Stromer
Christensen	Kehe	Pellett	Taylor
Clark	Knoke	Pierson	Tieden
Curtis	Kreamer	Radl	Trowbridge
Drake	Kruse	Rex	Varley
Edelen	Lawson	Schroeder	Waugh
Egenes	Lipsky	Schwieger	Welden
Ellsworth	Logemann	Shaw	Winkelman
Fischer, H. O.	McElroy	Siglin	Wirtz

Absent or not voting, 21:

Anania	Grassley	Kinley	Roorda
Bennett	Harbor	Knoblauch	Schwartz
Den Herder	Jesse	Mollett	Strothman
Dunton	Johnston	Nielsen	Mr. Speaker
Fisher, C. R.	Kelly	Pelton	(Millen)
Goode	Kennedy		

The motion lost.

Division of the Senate amendment was requested.

Uban of Black Hawk moved that the House concur in amendment 3, lines 12 through 26 of the Senate amendment.

A non-record roll call was requested.

The ayes were 49, nays 19.

The motion prevailed and the House concurred in amendment 3 of the Senate amendment.

Varley of Adair moved that **House File 33** be deferred and that the bill be placed on the calendar under **unfinished business**.

The motion prevailed.

SENATE AMENDMENTS CONSIDERED

Holden of Scott called up for consideration **House File 1104**, a bill for an act relating to protective eyeglass lenses, amended by the Senate, and moved that the House concur in the following Senate amendment:

Amend House File 1104 as follows:

1. Page 1, by striking in line 21 the words "[Before they are mounted in frames,]"; and by striking all of lines 22 through 25, inclusive.

2. Page 2, by striking lines 1 and 2, inclusive and by striking in line 3 the words "[gasket on top edge.]" and by inserting in lieu thereof the following:

"Before they are mounted in frames, all plastic and heat-treated glass lenses shall be capable of withstanding an impact test of a five-eighths inch steel ball dropped fifty inches. This test to be conducted at room temperature, with the lens supported by a plastic tube one inch inside diameter, one and one-fourth inch outside diameter, with a one-eighth inch by one-eighth inch neoprene gasket on top edge."

3. Page 2, by striking lines 7 through 10, inclusive.

Motion prevailed and the House concurred in the Senate amendment.

Holden of Scott moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1104)

The ayes were, 79:

Alt	Franklin	McCormick	Shaw
Andersen	Freeman	McElroy	Skinner
Bergman	Gluba	Mendenhall	Small
Blouin	Grassley	Menefee	Sorg
Camp	Hamilton	Middleswart	Stanley
Campbell	Hansen	Miller	Strand
Christensen	Harbor	Moffitt	Stromer
Clark	Hill	Monroe	Taylor
Cochran	Holden	Norpel	Trowbridge
Curtis	Husak	Nystrom	Uban
Dougherty	Kehe	Patton	Varley
Doyle	Kinley	Pierson	Waugh
Drake	Knoke	Priebe	Welden
Dunton	Kreamer	Radl	Wells
Edelen	Kruse	Rex	Willits
Egenes	Larson	Schmeiser	Winkelman
Ellsworth	Lawson	Schroeder	Wirtz
Ewell	Lipsky	Schwartz	Wyckoff
Fischer, H. O.	Logemann	Schwieger	Mr. Speaker
Fisher, C. R.	Mayberry	Scott	(Millen)

The nays were, 2:

Rodgers Tieden

Absent or not voting, 19:

Anania	Jesse	Mollett	Sargisson
Bennett	Johnston	Nielsen	Siglin
Bray	Kelly	Pellett	Stokes
Den Herder	Kennedy	Pelton	Strothman
Goode	Knoblauch	Roorda	

The bill having received a constitutional majority was declared to have re-passed the House and the title was agreed to.

HOUSE FILE 48 TABLED

Schroeder of Pottawattamie called up for consideration **House File 48**, a bill for an act relating to the movement of oversized mobile homes and vehicles, amended by the Senate, and moved that the House concur in the following Senate amendment:

Amend House File 48 as amended, passed, and reprinted by the House by striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. Section three hundred twenty-one E point three (321E.3), Code 1971, is amended as follows:

321E.3 ESCORTS FOR MOVEMENTS—DISTANCE SCHEDULES.

All movements of mobile homes and other vehicles the width of which, including any load, exceeds the roadway lane width of the highway or street being traversed, shall be under escort. Permits for the movement of *other motor vehicles with indivisible loads exceeding twelve feet five inches in width [or mobile homes of widths including appurtenances exceeding twelve feet five inches]* shall be restricted to maximum trip distances in accordance with the following schedule:

SCHEDULE OF OVER-WIDTH MOVEMENT DISTANCES FOR PAVEMENT WIDTHS OF 24 FEET OR MORE WITH TRAFFIC OF 4,000 OR MORE VEHICLES PER DAY

Load Width (ft).	Distance (Miles)
13	50
14	50
15	41
16	32
17	23
18	15
19 to 40	10
Over 40	Not allowed

Any mobile home exceeding twelve feet five inches in width, including appurtenances, and not exceeding fourteen feet

five inches in width, including appurtenances, may be moved on the highways of this state upon filing of an application for and receiving a single trip permit. Any mobile home exceeding fourteen feet five inches in width, including appurtenances, shall be restricted to maximum trip distances in accordance with the above schedule.

No mobile home exceeding ten feet in width shall be moved according to the provisions of this section, when the recorded wind velocity exceeds twenty miles per hour.

Sec. 2. Section three hundred twenty-one E point six (321E.6), Code 1971, is amended as follows:

321E.6 VARIATIONS IN ROAD WIDTH AND TRAFFIC. A movement
of an indivisible load over a highway or highways having sections carrying varying volumes of traffic and having varying surface widths shall have its permissible total distance computed on the basis of the lowest volume of traffic or the greatest highway width, whichever produces the greater distance by the foregoing schedule. However, no movement over a section or sections carrying a given shorter permissible maximum shall be greater than that shorter maximum and, in computing the distance which would be traveled on a section or sections having a certain width and traffic volume, distances which would be traveled on sections carrying shorter permissible move distances shall be included.

Any mobile home exceeding twelve feet five inches in width, including appurtenances, subject to the provisions of this chapter, shall not move over any highway with a roadway which is less than twenty-four feet in width, except that any mobile home which exceeds twelve feet five inches in width, including appurtenances, but does not exceed fourteen feet five inches in width, including appurtenances, may be moved upon any highway with a roadway which is less than twenty-four feet in width when the mobile home is being moved to a terminous point within the state, provided the mobile home and power unit are accompanied by an official escort approved by the permit issuing authority.

For the purpose of this section the word "terminous point" means a mobile home park site or any site in which the mobile home will be placed permanently and used for human habitation.

Permits for the movement of mobile homes not to exceed fourteen feet five inches in width, including appurtenances, may be granted by the permit issuing authority on highways with roadway widths of less than twenty-four feet, when the issuing authority determines from consideration of roadway characteristics and traffic density that safety will be enhanced. The actual road may be closed to other traffic when the authority determines that safety will be enhanced.

Sec. 3. Section three hundred twenty-one E point eight (321E.8), subsection one (1), Code 1971, is amended as follows:

1. Vehicles with indivisible loads having an over-all width not to exceed twelve feet, five inches or mobile

homes including appurtenances not to exceed twelve feet, five inches and an over-all length not to exceed [seventy feet, zero inches] *eighty-five feet, including the power unit*, may be moved for unlimited distances. The vehicle and load shall not exceed the height of thirteen feet, ten inches and the total gross weight as prescribed in section 321.463.

Sec. 4. Section three hundred twenty-one E point nine (321E.9), subsection one (1), Code 1971, is amended as follows:

1. Vehicles with indivisible loads having an over-all width not to exceed twelve feet, five inches or mobile homes including appurtenances not to exceed [twelve] *fourteen* feet, five inches and an over-all length not to exceed [eighty feet, zero inches] *eighty-five feet, including the power unit*, may be moved for unlimited distances. No mobile home may be moved under the provisions of this subsection if the actual mobile home unit exceeds [sixty-eight feet in length] *seventy feet in length, including any area occupied by a hitching device*. No unit moved under the provisions of this subsection shall exceed the height as prescribed in section 321.456 and the total gross weight as prescribed in section 321.463.

Sec. 5. Section three hundred twenty-one E point eleven (321E.11), unnumbered paragraph one (1), Code 1971, is amended as follows:

Movements by permit in accordance with this chapter shall be permitted [only] during daylight hours unless it is established by the issuing authority that the movement can be better accomplished at another period of time because of traffic [volume] conditions.

Sec. 6. Section three hundred twenty-one point one (321.1), Code 1971, is amended by adding the following new subsection:

"Daylight hours" means thirty minutes before sunrise to thirty minutes after sunset.

Kreamer of Polk moved that House File 48 be tabled.

Roll call was requested by Kreamer of Polk and Hansen of Black Hawk.

Rule 70 was invoked.

On the question "Shall House File 48 be tabled?"

The ayes were, 47:

Alt	Den Herder	Hansen	Lipsky
Bergman	Edelen	Holden	McCormick
Blouin	Egenes	Husak	McElroy
Bray	Ellsworth	Kehe	Mendenhall
Campbell	Ewell	Kreamer	Menefee
Clark	Gluba	Larson	Miller
Curtis	Hamilton	Lawson	

Monroe	Schmeiser	Sorg	Willits
Nystrom	Schwartz	Strand	Wirtz
Patton	Shaw	Uban	Wyckoff
Radl	Skinner	Varley	Mr. Speaker
Roorda	Small	Wells	(Millen)
Sargisson			

The nays were, 36:

Anania	Kelly	Norpel	Stanley
Andersen	Kinley	Pellett	Stokes
Camp	Knoke	Priebe	Stromer
Cochran	Kruse	Rex	Strothman
Dougherty	Logemann	Rodgers	Taylor
Drake	Mayberry	Schroeder	Tieden
Fischer, H. O.	Middleswart	Schwieger	Trowbridge
Fisher, C. R.	Moffitt	Scott	Waugh
Freeman	Nielsen	Siglin	Winkelman

Absent or not voting, 17:

Bennett	Goode	Jesse	Mollett
Christensen	Grassley	Johnston	Pelton
Doyle	Harbor	Kennedy	Pierson
Dunton	Hill	Knoblauch	Welden
Franklin			

The motion prevailed and House File 48 is tabled.

REPORTS OF COMMITTEES

Christensen of Union, from the committee on law enforcement, submitted the following report:

MR. SPEAKER: Your committee on law enforcement, to whom was referred **House File 689**, a bill for an act to establish a county law enforcement unit and to transfer the duties of the constables, marshals, city policemen, and sheriff's deputies to the county law enforcement unit, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same **do pass**.

CHRISTENSEN of Union, Chairman

Fisher of Greene, from the committee on state government, submitted the following report:

MR. SPEAKER: Your committee on state government, to whom was referred **Senate File 418**, a bill for an act relating to benefits for veterans in state employment, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same **do pass**.

FISHER of Greene, Chairman

Rex of Hamilton, from the committee on county government, submitted the following reports:

MR. SPEAKER: Your committee on county government, to whom was referred **Senate File 260**, a bill for an act relating to weather modification in counties, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same **do pass**.

REX of Hamilton, Chairman

Also:

MR. SPEAKER: Your committee on county government, to whom was referred **Senate File 1003**, a bill for an act relating to support payments as the result of a dissolution of marriage, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same **do pass**.

REX of Hamilton, Chairman

Also:

MR. SPEAKER: Your committee on county government, to whom was referred **Senate File 1005**, a bill for an act relating to the military records of veterans, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same **do pass**.

REX of Hamilton, Chairman

Also:

MR. SPEAKER: Your committee on county government, to whom was referred **Senate File 1024**, a bill for an act relating to the employment of county relief recipients on government owned properties, parks, and recreation centers in payment for and as a condition of granting relief, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same **do pass**.

REX of Hamilton, Chairman

Also:

MR. SPEAKER: Your committee on county government, to whom was referred **Senate File 1030**, a bill for an act requiring the council of social services to prepare a list of all deaf, blind, and severely handicapped persons within the state, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same **do pass**.

REX of Hamilton, Chairman

Fischer of Grundy, from the committee on commerce, submitted the following reports:

MR. SPEAKER: Your committee on commerce, to whom was referred **Senate File 1008**, a bill for an act relating to bank holding companies, bank offices, certain real estate loans by state banks, and fees paid by state banks for management, financial advice, consultation or services, and prescribing penalties for violations, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same **do pass**.

FISCHER of Grundy, Chairman

Also:

MR. SPEAKER: Your committee on commerce, to whom was referred **Senate File 127**, a bill for an act relating to the limitation of certain damage actions arising out of improvements or work upon real property, begs leave to report it has had the same under consideration and has instructed me

to report the same back to the House with the recommendation that the same **do pass**.

FISCHER of Grundy, Chairman

Also:

MR. SPEAKER: Your committee on commerce, to whom was referred **House File 643**, a bill for an act relating to the regulation of the practice of public accounting; to enlarge the state board of accountancy; to prescribe its powers and duties; and to provide penalties for violations of the provisions of this act, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same **be amended as follows, and when so amended the bill do pass**:

1 Amend House File 643 as follows:

2 1. Page 2, line 26, by inserting after the word
3 "board" the words "of accountancy".

4 2. Page 2, by striking line 27.

5 3. Page 2, line 28, by striking the words "of
6 the Code".

7 4. Page 2, line 28, by striking the word "had"
8 and inserting in lieu thereof the word "have".

9 5. Page 3, by striking from lines 29 and 30 the
10 words "one hundred" and inserting in lieu thereof
11 the word "forty".

12 6. Page 3, line 34, by striking the words "kept
13 in a" and inserting in lieu thereof the words "paid
14 monthly to the treasurer of state who shall keep the
15 same in a special fund to be known as the board of
16 accountancy fund, which fund may be used and expended
17 by the board to pay the compensation and travel
18 expenses necessary for the board to administer and
19 carry out the provisions of this".

20 7. Page 3, by striking line 35.

20a 8. Page 4, by striking lines 4 and 5.

21 9. Page 4, by striking lines 8 through 11,
22 inclusive, and inserting in lieu thereof the following:

23 "Any funds remaining in the state board of
24 accountancy fund on the effective date of this Act
25 shall be transferred to the board of accountancy fund
26 established by this Act.

27 The term 'board of accountancy' as used in this
28 Act shall include the 'board of accountancy' in chapter
29 three (3), section one (1), subsection one (1), Acts
30 of the Sixty-fourth General Assembly, First Session."

31 10. Page 4, by striking lines 12 through 16,
32 inclusive.

33 11. Page 4, line 34, by striking the word "an".

34 12. Page 6, line 35, by striking the word "twenty-
35 one" and inserting in lieu thereof the word "eighteen".

36 13. Page 7, line 9, by inserting after the word
37 "administration" the words "; or is a graduate of
38 a high school having at least a four-year course of
39 study or its equivalent as determined by the board
40 of accountancy and has three years' continuous
41 experience under the direct supervision of a certified

42 public accountant holding a current permit to practice,
43 which experience shall include a significant amount
44 of accounting work involving third party reliance
45 on the financial statements”.

46 14. Page 7, by striking lines 13 through 30,
47 inclusive, and inserting in lieu thereof the following:

48 “None of the education or experience requirements
49 in subsection four (4) of this section shall apply
50 to a candidate who within four years after the
51 effective date of this Act fulfills the education
52 and experience requirements provided for by law prior
53 to the effective date of this Act and passes the
54 examination required in subsection five (5) of this
55 section.”

56 15. Page 7, by striking line 32 and inserting
57 in lieu thereof the word “section”.

58 16. Page 7, line 33, by striking the words
59 “preceding paragraph”.

60 17. Page 7, by striking line 35 and inserting
61 in lieu thereof the word “but”.

62 18. Page 8, line 1, by striking the word “section”.

63 19. Page 8, line 8, by inserting after the word
64 “requirements” the words “for a baccalaurate degree”.

65 20. Page 8, line 14, by striking the words “shall
66 have no status”.

67 21. Page 8, by striking lines 15 and 16 and insert-
68 ing in lieu thereof the words “shall receive his cer-
69 tificate”.

70 22. Page 9, by striking lines 9 through 14, inclu-
71 sive.

72 23. Page 9, by striking lines 18, 19, and 20 and
73 inserting in lieu thereof the figure and words “(5)
74 of this section.”

75 24. Page 10, line 18, by striking the word “has”
76 and inserting in lieu thereof the words “shall have”.

77 25. Page 10, line 19, by striking the words “of
78 public accounting” and inserting in lieu thereof the
79 word “thereunder”.

80 26. Page 10, by striking lines 24, 25, and 26
81 and inserting in lieu thereof the words “registered
82 as a public accountant by the state of Iowa on the
83 effective date of this Act may continue to register
84 with the board as a public accountant.”

85 27. Page 11, line 32, by inserting after the word
86 “partner” the words “who holds a permit to practice
87 under section eight (8) of this Act”.

88 28. Page 12, line 30, by striking the word
89 “Permits” and inserting in lieu thereof the words
90 “In addition to the certificates, permits”.

91 29. Page 12, line 33, by striking the word
92 “provided” and inserting in lieu thereof the words
93 “upon payment of the fees required in subsection four
94 (4) of this section, as follows”.

95 30. Page 12, by striking lines 34 and 35.

96 31. Page 13, by striking lines 1 through 18,

97 inclusive and inserting in lieu thereof the following:

98 "a. Persons holding the certificate of certified
99 public accountant on the effective date of this Act
100 and who have had three years' continuous practical
101 accounting experience as a public accountant or a
102 staff accountant, or three years' continuous employment
103 as a field examiner under a revenue agent-in-charge
104 of the income tax bureau of the treasury department
105 of the United States, or as a field examiner in the
106 auditor's, comptroller's, income tax, or insurance
107 departments of this state or a bank examiner employed
108 by the department of banking of this state pursuant
109 to section five hundred twenty-four point two hundred
110 eight (524.208) of the Code, shall be issued permits
111 by the board.

112 b. Persons holding the certificate of certified
113 public accountant under the provisions of section
114 three (3) of this Act who are high school graduates
115 and who have had three years' continuous experience
116 under the direct supervision of a certified public
117 accountant holding a current permit to practice, which
118 experience must include a significant amount of
119 accounting work involving third party reliance on
120 the financial statements, shall be issued permits
121 by the board. The experience required in section
122 three (3), subsection four (4), of this Act shall
123 be counted as the experience required in this
124 paragraph.

125 c. Persons holding the certificate of certified
126 public accountant under the provisions of section
127 three (3) of this Act who have a baccalaureate degree
128 conferred by a college or university recognized by
129 the board with a concentration in accounting, or what
130 the board determines to be substantially the equivalent
131 of those requirements, or with a nonaccounting
132 concentration supplemented by what the board determines
133 to be substantially the equivalent of an accounting
134 concentration including related courses in other areas
135 of business administration, and who have had at least
136 two years of experience in the practice of public
137 accounting or equivalent experience in industry,
138 government, or college teaching acceptable to the
139 board, shall be issued permits by the board.

140 d. Persons holding the certificate of certified
141 public accountant under the provisions of section
142 three (3) of this Act who have a baccalaureate degree
143 conferred by a college or university recognized by
144 the board and not less than thirty credit hours
145 additional study, the total educational program to
146 include an accounting concentration or its equivalent
147 and such related subjects as the board determines
148 to be appropriate, and who have had at least one year
149 of experience in the practice of public accounting
150 or equivalent experience in industry, government,
151 or college teaching acceptable to the board, shall

152 be issued permits by the board.

153 e. All offices of a holder of a certificate of
154 certified public accountant shall be maintained and
155 registered as required under section seven (7) of
156 this Act."

157 32. Page 14, by striking lines 1 through 6, inclu-
158 sive.

159 33. Page 19, by inserting after the period in
160 line 18 the following new sentence:

161 "Nothing in this subsection shall prohibit the
162 use of the word 'accountant' by persons other than
163 those registered under this Act."

164 34. Page 20, by inserting after the period in
165 line 21, the following new sentence:

166 "Nothing in this subsection shall prohibit the
167 use of the word 'accountant' by persons other than
168 those registered under this Act."

169 35. Page 22, line 7, by striking the word "guilty"
170 and inserting in lieu thereof the word "guilty".

171 36. Page 23, by striking line 18.

172 37. Page 23, line 19, by striking the figure
173 "(6),".

174 38. Page 23, line 19, by inserting after the
175 figure "(116.8)," the words and figure "one hundred
176 sixteen point nine (116.9),".

177 39. By renumbering the sections and subsections
178 and correcting internal references as necessary.

FISCHER of Grundy, Chairman

Pelton of Clinton, from the committee on judiciary, submitted the following reports:

MR. SPEAKER: Your committee on judiciary, to whom was referred **House File 1039**, a bill for an act relating to the issuance of new birth certificates for persons born outside the United States and adopted in Iowa, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same **do pass**.

PELTON of Clinton, Chairman

Also:

MR. SPEAKER: Your committee on judiciary, to whom was referred **House File 1042**, a bill for an act relating to time served on parole, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same **do pass**.

PELTON of Clinton, Chairman

Also:

MR. SPEAKER: Your committee on judiciary, to whom was referred **House File 1075**, a bill for an act to legalize and validate the proceedings of the Town Council of the Town of Stuart, in the Counties of Adair and Guthrie, State of Iowa, in connection with the award of a contract for the construction of a project designated as the "1971 Stuart, Iowa, Sanitary

Sewer Improvement Project", begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same **do pass**.

PELTON of Clinton, Chairman

Also:

MR. SPEAKER: Your committee on judiciary, to whom was referred **Senate File 1014**, a bill for an act relating to money advances by county boards of supervisors to county conservation boards from money in the county general funds, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same **be amended as follows, and when so amended the bill do pass**:

Amend Senate File 1014 as follows:

Page 2, line 10, by inserting after the period the following new sentence: "All funds advanced to the county conservation board shall be returned to the county general fund not later than December 31, 1972."

PELTON of Clinton, Chairman

Grassley of Butler, from the committee on schools, submitted the following reports:

MR. SPEAKER: Your committee on schools, to whom was referred **Senate File 1069**, a bill for an act relating to terms of office of county superintendents of schools, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same **do pass**.

GRASSLEY of Butler, Chairman

MR. SPEAKER: Your committee on schools, to whom was referred **Senate File 1070**, a bill for an act relating to the approval, coordination, and supervision over electronic data processing for educational purposes, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same **do pass**.

GRASSLEY of Butler, Chairman

AMENDMENTS FILED

- 1 Amend the Senate amendment to House File
- 2 33 by striking from line 9 the word "not".

SMALL of Johnson

- 1 Amend House File 524, page 2, by striking lines 21 through
- 2 32 and inserting in lieu thereof the following:
- 3 "Sec. 3. STATE BOARD OF OPTOMETRY. There is
- 4 established a state board of optometry consisting of five persons
- 5 appointed by the governor for staggered terms of five years.
- 6 Three members of the board shall be optometrists and two
- 7 members shall represent the public. The Iowa optometric
- 8 association may submit a list of recommendations from which
- 9 the governor may select board members.

10 For the initial board, the members of the board of
 11 optometry examiners shall continue in office until their terms
 12 expire. Upon the effective date of this Act, the governor shall
 13 appoint three members to the board and shall designate one
 14 board member to serve a five-year term, one board member
 15 to serve a four-year term, and one board member to serve a
 16 three-year term."

VARLEY of Adair

- 1 Amend House File 524 as follows:
- 2 1. Page 2, by striking line 23 and inserting in
 3 lieu thereof the following:
 4 " , at least two of whom shall not be members of the
 5 Iowa optometric association, appointed by the governor
 6 for staggered terms of five years."
- 7 2. Page 3, lines 11, 12, and 13, by striking the
 8 sentence "However, the per diem of legal counsel em-
 9 ployed by the board shall be approved by the executive
 10 council."
- 11 3. Page 3, line 22, by inserting after the period
 12 the following:
 13 "In addition to the duties provided in sections one
 14 hundred forty-seven point sixty-one (147.61) and one
 15 hundred forty-seven point ninety-two (147.92) of the
 16 Code, the attorney general shall represent the board
 17 in any other proceeding required in administering this
 18 Act."
- 19 4. Page 4, line 8, by striking the words "The board
 20 and any" and inserting in lieu thereof the word "Any".
- 21 5. Page 4, by striking lines 28 and 29.
- 22 6. Page 4, line 30, by striking the letter "i" and
 23 inserting in lieu thereof the letter "h".
- 24 7. Page 5, line 27, by inserting before the period
 25 the words "not exceeding one hundred dollars".
- 26 8. Page 6, line 6, by inserting after the period
 27 the following:
 28 "Programs and clinics may be held within or without
 29 the state of Iowa and enrollment in such programs and
 30 clinics shall not be contingent upon membership in the
 31 Iowa optometric association."
- 32 9. Page 6, by striking lines 25, 26, and 27, and
 33 inserting in lieu thereof the following:
 34 "dollars. A license which is revoked or suspended
 35 for failure to pay the fee required by this section
 36 shall be reissued or reinstated upon payment in full
 37 of the additional fee and any other license or renewal
 38 fees required by this Act."
- 39 10. Page 7, by striking lines 10 through 18, inclu-
 40 sive.
- 41 11. Page 10, line 23, by inserting the word "and"
 42 before the word "seven" and by striking the words "and
 43 eight (8)".
- 44 12. Page 11, by striking lines 8 through 14, inclu-
 45 sive.

46 13. By renumbering sections as required by this
47 amendment.

HILL of Polk

1 Amend House File 689 as follows:
2 Page 6, line 19, by striking the word "twenty"
3 and inserting in lieu thereof the word "forty".

EDELEN of Emmet

1 Amend the committee on social services amendment
2 to House File 743 filed February 9, 1972, as follows:
3 1. By striking from line 11 the word "ten" and
4 inserting in lieu thereof the words "ten and one-
5 half."
6 2. By striking from line 14 the word "Nine"
7 and inserting in lieu thereof the word "Ten".
8 3. By striking from line 44 the word "One"
9 and inserting in lieu thereof the words "One-half
10 of one".

LIPSKY of Linn

1 Amend the committee on social services amendment
2 to House File 743, filed February 10, 1972, as
3 follows:
4 1. Line 38, by adding after the word "alcoholism",
5 the words "as approved by the Iowa commission on
6 alcoholism".
7 2. Line 65, by striking the words "paragraph a
8 of", and inserting in lieu thereof "paragraph b of".

GLUBA of Scott

1 Amend House File 1007 as follows:
2 1. Page 2, lines 5 and 6, by striking the words
3 "this state" and inserting in lieu thereof the words
4 "the county in which application is being made".
5 2. Page 2, line 7, by inserting after the word
6 "chapter" the words "or of an ordinance enacted pur-
7 suant to the provisions of this chapter".

KREAMER of Polk

1 Amend House File 1127 as follows:
2 Further amend the title by striking all after the
3 word "possession" and inserting in lieu thereof the
4 words "or consumption of alcoholic liquors or beer on
5 public school property or while attending school-
6 related functions."

PRIEBE of Kossuth

1 Amend House File 1181, page 2, by striking all of
2 lines 20 through 23 and inserting in lieu thereof the
3 following:
4 "187.12 [FEES TO GENERAL FUND.] *DISPOSITION OF*
FEES.
5 All fees and [money] *moneys*, collected under the pro-

6 visions of [sections 187.4, 187.6, 187.8, and 187.13]
 7 *this chapter* by the secretary shall be [placed in the
 8 general fund] *deposited in a special fund in the state*
 9 *treasury to be known as the branded livestock fund*
 10 *and shall be used by the department for the purposes*
 11 *of inspection, training, research, publication of*
 12 *reports and other expenses necessary for the admin-*
 13 *istration of this chapter and the rules and regula-*
 14 *tions adopted pursuant thereto."*

MOFFITT of Appanoose
 SCOTT of Cerro Gordo
 SIGLIN of Lucas

1 Amend House File 1194 by amending the title on page 1,
 2 line 1, by striking the word "insurance" and inserting in
 3 lieu thereof the word "securities".

FREEMAN of Buena Vista

1 Amend House File 1197, page 8, line 15, by insert-
 2 ing after the word "students" the words "and such
 3 dormitories as are provided for and occupied by both
 4 students".

HOLDEN of Scott

1 Amend Senate File 428, as passed by the Senate and
 2 reprinted, as follows:
 3 1. By striking everything after the enacting clause
 4 and inserting in lieu thereof the following:

5 Section 1. Section sixteen point twenty-four (16.24),
 6 Code 1971, as amended by chapter eighty (80), section
 7 two (2), and chapter eighty-four (84), sections sixty-
 8 four (64), sixty-five (65), and sixty-six (66), Acts
 9 of the Sixty-fourth General Assembly, First Session,
 10 is amended by adding the following new subsection:
 11 "To each justice of the peace upon requisition by the
 12 county board of supervisors of each county1 copy".

13 Sec. 2. Section sixteen point twenty-five (16.25),
 14 Code 1971, as amended by chapter eighty (80), section
 15 three (3), and chapter eighty-four (84), section sixty-
 16 seven (67), Acts of the Sixty-fourth General Assembly,
 17 First Session, is amended by adding the following new
 18 section:

19 "To each justice of the peace upon requisition by the
 20 county board of supervisors of each county1 copy".

21 Sec. 3. Section thirty-nine point twenty-one (39.21),
 22 Code 1971, is amended by striking the section and
 23 inserting in lieu thereof the following new section:
 24 39.21 ELECTION OF JUSTICES. The county board of
 25 supervisors shall establish single-member justice of
 26 the peace districts based upon population within the
 27 county. A justice of the peace shall be elected
 28 biennially for two-year terms by the voters of his
 29 district in the manner provided in this chapter.

30 A justice of the peace shall be an elector of the
 31 county and shall reside in the district from which he

32 is elected and shall be less than seventy-two years
33 of age at the time of his election. He shall be a high
34 school graduate with a diploma or possess an equivalency
35 certificate which meets the minimum score required by
36 the state of Iowa as determined by the department of
37 public instruction.

38 The number of justices of the peace in each county
39 shall be determined as follows:

40 1. Counties which have a population of less than
41 ten thousand persons, one justice of the peace, except
42 that the board of supervisors may increase the number
43 of justices to two if two justices are deemed necessary.

44 2. Counties which have a population of at least
45 ten thousand persons, but less than twenty thousand
46 persons, two justices of the peace.

47 3. Counties which have a population of at least
48 twenty thousand, but less than forty thousand population,
49 three justices of the peace.

50 4. Counties which have at least forty thousand
51 population, four justices of the peace, except that
52 the number of justices shall be reduced by one for
53 each municipal court established within the county.

54 5. The board of supervisors may reduce the number
55 of justices in each county if such action appears
56 reasonable, based on the number of cases heard by
57 justices of the peace in the county for the preceding
58 year.

59 Sec. 4. Section forty-nine point one hundred six
60 (49.106), Code 1971, is amended to read as follows:

61 49.106 **MAY COMMIT DISORDERLY PERSON.** Any [constable
62 or special] policeman may forthwith arrest such person
63 and bring him before the judges of election, and they,
64 by a warrant under their hands, may commit him to
65 the jail of the county for a term not exceeding twenty-
66 four hours, but they shall permit him to vote.

67 Sec. 5. Section forty-nine point one hundred
68 fifteen (49.115), Code 1971, is amended to read as
69 follows:

70 49.115 **CONSTABLES.** [Except in] *In* voting precincts
71 [within any] *located outside a city*, [any constable of
72 the township, who may be designated by] the judges
73 of election[,] *may appoint from two to four special*
74 *policemen for each voting precinct. The special*
75 *policemen shall attend at the place of election[, if*
76 *none attend, the judges of the election may, in*
77 *writing, specially appoint one or more, who shall*
78 *have all the powers of a regular constable] and shall*
79 *have the powers granted special policemen in section*
80 *49.114.*

81 Sec. 6. Section forty-nine point one hundred
82 sixteen (49.116), Code 1971, is amended to read as
83 follows:

84 49.116 **PRESERVING ORDER.** All special policemen
85 [and constables] are authorized and required to preserve
86 order and peace at all places of election, and such

87 special policemen[, constables,] and all other persons
88 are authorized and required to obey the lawful orders
88 and commands of said judges of election given to
90 prevent violations of this chapter.

91 Sec. 7. Section sixty-two point four (62.4), Code
92 1971, is amended to read as follows:

93 62.4 SHERIFF TO ATTEND. The court or presiding
94 judge may direct the attendance of the sheriff [or
95 a constable] when necessary.

96 Sec. 8. Section sixty-four point eight (64.8),
97 Code 1971, is amended to read as follows:

98 64.8 COUNTY OFFICERS. The bonds of the following
99 county officers, viz.: Clerks of the district courts,
100 county attorneys, recorders, auditors, superintendents
101 of schools, sheriffs, justices of the peace, [and
102 constables,] and assessors shall each be in a penal
103 sum to be fixed by the board of supervisors.

104 Sec. 9. Section sixty-four point nine (64.9),
105 Code 1971, is amended to read as follows:

106 64.9 MINIMUM BONDS OF COUNTY OFFICERS. Bonds
107 of members of the board of supervisors, clerks of
108 the district courts, county auditors, sheriffs, and
109 county attorneys shall not be in less sum than five
110 thousand dollars each, and those of justices [and
111 constables] *of the peace*, not less than [five hundred]
112 *one thousand* dollars each.

113 Sec. 10. Section sixty-four point twenty-four
114 (64.24), subsection two (2), Code 1971, is amended
115 to read as follows:

116 2. In the record kept by the county auditor, the
117 official bonds of all county officers, elective or
118 appointive, justices of the peace, *and* township clerks[,
119 and constables].

120 Sec. 11. Section sixty-five point nine (65.9),
121 Code 1971, is amended to read as follows:

122 65.9 JUSTICE OF THE PEACE. If the proceedings
123 relate to a justice of the peace, and he is removed
124 from office, the county auditor shall notify the
125 [proper township trustees or clerk] *appropriate county*
126 *board of supervisors* of the removal.

127 Sec. 12. Section sixty-nine point eight (69.8),
128 subsection four (4), Code 1971, is amended to read
129 as follows:

130 4. COUNTY OFFICES. In county offices, including
131 justices of the peace [and constables], by the board
132 of supervisors.

133 Sec. 13. Section one hundred eighty-eight point
134 twenty-eight (188.28), unnumbered paragraph one (1),
135 Code 1971, is amended to read as follows:

136 188.28 PROOF OF SERVICE. Immediately after the
137 expiration of said ten days of posting, the person
138 taking up the estray shall, unless such estray has
139 been previously claimed by the owner, file with a
140 justice of the peace in the [township] *county* in which
141 the estray was taken up, [or, in case there is no

142 justice in the township, then with the next nearest
143 justice in the county,] his affidavit which shall show:

144 Sec. 14. Section three hundred thirty-two point
145 nine (332.9), Code 1971, is amended to read as follows:

146 332.9 OFFICES FURNISHED. The board of supervisors
147 shall furnish the clerk of the district court, sheriff,
148 recorder, treasurer, auditor, county attorney, county
149 superintendent, county surveyor or engineer, and
150 county assessor, with offices at the county seat,
151 but in no case shall any such officer, except the
152 county attorney, be permitted to occupy an office
153 also occupied by a practicing attorney. *The board*
154 *may require justices of the peace to hold court in*
155 *facilities furnished by the county. If recommended*
156 *by the chief judge of the judicial district, the board*
157 *shall furnish suitable facilities for justices of*
158 *the peace to hold court.*

159 Sec. 15. Section three hundred forty-three point
160 three (343.3), Code 1971, is amended to read as
161 follows:

162 343.3 ACTING AS COUNSEL. No sheriff[,] or deputy
163 sheriff[, or constable] shall appear in any court as
164 attorney or counsel for any party, nor make any writing
165 or process to commence any action or proceeding, or
166 to be in any manner used in the same; and such writing
167 or process made by any of them shall be rejected.

168 Sec. 16. Section three hundred forty-three point
169 four (343.4), Code 1971, is amended to read as follows:

170 343.4 PURCHASE OF PROPERTY. No sheriff[,] or deputy
171 sheriff[, or constable] shall become the purchaser,
172 either directly or indirectly, of any property by
173 him exposed to sale under any process of law; and
174 every such purchase shall be void.

175 Sec. 17. Section three hundred fifty-nine point
176 thirty-eight (359.38), Code 1971, is amended to read
177 as follows:

178 359.38 WATCHMEN APPOINTED. Such trustees,
179 directors, or other officers may appoint as many day
180 and night watchmen of their grounds as they may think
181 expedient, and such watchmen, and also all their
182 sextons, superintendents, gardeners, and agents,
183 stationed upon or near said grounds are hereby
184 authorized to take and subscribe, before any mayor
185 of a city or justice of the peace of the [township]
186 county where such cemetery is situated, an oath of
187 office[, similar to that required by law of constables].

188 Sec. 18. Section three hundred fifty-nine point
189 thirty-nine (359.39), Code 1971, is amended to read
190 as follows:

191 359.39 EX OFFICIO POLICE OFFICERS. Upon the
192 taking of such oath, such watchmen, sextons,
193 superintendents, gardeners, and agents shall have
194 and exercise all powers of police officers within
195 and adjacent to the cemetery grounds and each shall

196 have power to arrest any and all persons engaged in
197 violating the laws of this state, and to bring such
198 person so offending before any justice of the peace
199 within such [township] *county*, to be dealt with according
200 to law.

201 Sec. 19. Section three hundred sixty-seven point
202 five (367.5), Code 1971, is amended to read as follows:
203 367.5 JURISDICTION OF MAYOR. In other cities
204 and towns, the mayor, or mayor pro tempore [when
205 authorized] , *may request approval from the chief judge*
206 *of the judicial district of the county* to hold mayor's
207 court[,] . *If approval is granted by the chief judge*
208 *of the judicial district of the county, the mayor*
209 shall have exclusive jurisdiction of all actions or
210 prosecutions for violations of city or town ordinances,
211 and [the mayor] shall have, in criminal matters, the
212 jurisdiction of a justice of the peace, coextensive
213 with the county, and in civil cases, the jurisdiction
214 within the city or town that a justice of the peace
215 has within the [township] *county*.

216 Sec. 20. Section three hundred sixty-seven point
217 thirteen (367.13), Code 1971, is amended to read as
218 follows:

219 367.13 FEES. Police judges in criminal cases
220 under ordinances or state laws shall [receive] *charge*
221 the same fees as justices of the peace [receive] in
222 similar cases *and all fees collected shall be paid*
223 *into the municipal treasury*. In criminal cases under
224 ordinance, said fees shall be payable from the
225 municipal treasury, and in criminal cases under state
226 law, said fees shall be payable from the county
227 treasury. The council [may] *shall* by ordinance provide
228 a salary in lieu of all fees[, and thereafter all fees
229 collected shall be paid into the municipal treasury]
230 *and the salary may be based upon the salaries paid*
231 *to justices of the peace*.

232 Sec. 21. Section three hundred sixty-seven point
233 fourteen (367.14), Code 1971, is amended to read as
234 follows:

235 367.14 MARSHAL AS BAILIFF. The marshal or his
236 deputy shall attend upon the sittings of the mayor's
237 and police courts and perform the duties of bailiff
238 therein. The fees for such services shall be the
239 same as [constables] *county sheriffs* receive for similar
240 services [in justice of the peace court]. Fees shall
241 be payable from the municipal treasury for services
242 in connection with criminal cases under ordinances,
243 and from the county treasury for services in connection
244 with criminal cases under the state law. The council
245 may by ordinance provide a salary in lieu of all fees,
246 and thereafter all fees collected shall be paid into
247 the municipal treasury.

248 Sec. 22. Section three hundred sixty-seven point
249 fifteen (367.15), Code 1971, is amended to read as
250 follows:

251 367.15 MAYOR'S FEES. For holding a mayor's or
252 police court, or discharging the duties of a justice
253 of the peace, the mayor shall receive in addition
254 to his regular salary as mayor, such [fees or] salary
255 as is by law or ordinance provided for officers
256 performing such duties.

257 Sec. 23. Section four hundred forty-five point
258 forty-nine (445.49), Code 1971, is amended to read
259 as follows:

260 445.49 SHERIFF [OR CONSTABLE] AS COLLECTOR. In
261 the discharge of his duties as collector, should it
262 become necessary to make the delinquent taxes by
263 distress and sale, or should no collector be appointed,
264 or should the collector fail to institute proceedings
265 to collect said delinquent taxes, the treasurer shall
266 place the same in the hands of the sheriff[, or a
267 constable,] who shall proceed to collect the same,
268 and [either] *he* shall be entitled to receive the same
269 compensation in addition to the five percent, as
270 [constables are] *he is* entitled to receive for the sale
271 of property on execution.

272 Sec. 24. Section five hundred eighty point four
273 (580.4), unnumbered paragraph one (1), Code 1971,
274 is amended to read as follows:

275 580.4 AFFIDAVIT OF FORECLOSURE. Lien may be
276 enforced by the holder filing [with any constable of
277 the county in which the progeny is kept, or] with the
278 sheriff of [such county] *the county in which the progeny*
279 *is kept*, an affidavit which shall, in addition to
280 a demand for foreclosure, contain:

281 Sec. 25. Section five hundred eighty point five
282 (580.5), unnumbered paragraph one (1), Code 1971,
283 is amended to read as follows:

284 580.5 POSSESSION AND NOTICE. The [constable or]
285 sheriff shall, under said affidavit, take immediate
286 possession of said progeny, and give written notice
287 of the sale thereof, which notice shall contain:

288 Sec. 26. Section five hundred eighty point eight
289 (580.8), Code 1971, is amended to read as follows:

290 580.8 SALE—APPLICATION OF PROCEEDS. If payment
291 of the service fee[, and constable costs,] be not made
292 prior to the time of sale, as fixed in such notices,
293 the [constable] *sheriff* may sell property so held by
294 him, or so much thereof as may be necessary, at public
295 auction to the highest bidder, and the proceeds shall
296 be applied, first, to the payment of the costs, and
297 second, in payment of amount due for service fee.
298 Any surplus arising from such sale shall be forthwith
299 paid to the owner of the property sold.

300 Sec. 27. Section six hundred one point three
301 (601.3), Code 1971, is amended to read as follows:

302 601.3 SUITS BROUGHT WHERE PARTY RESIDES. Actions
303 in all cases may be brought in the [township] *justice*
304 *of the peace district* where the plaintiff, or the
305 defendant, or one of several defendants, resides,

306 unless otherwise provided by law.

307 Sec. 28. Section six hundred one point four

308 (601.4), Code 1971, is amended to read as follows:

309 601.4 WHERE DEFENDANT SERVED. They may also be

310 brought in any other [township] *justice of the peace*

311 *district* of the same county, if actual service on

312 one or more of the defendants is made in such [township]

313 *district*.

314 Sec. 29. Section six hundred one point six (601.6),

315 Code 1971, is amended to read as follows:

316 601.6 ATTACHMENT. Actions aided by attachment

317 may be brought against nonresidents of the state in

318 any county [and township] wherein the property sought

319 to be levied upon is found.

320 Sec. 30. Section six hundred one point eight

321 (601.8), Code 1971, is amended to read as follows:

322 601.8 WRITTEN STIPULATION FOR PLACE OF SUIT.

323 On written contracts stipulating for payment at a

324 particular place, action may be brought in the [township]

325 *justice of the peace district* where the payment was

326 agreed to be made.

327 Sec. 31. Section six hundred one point eleven

328 (601.11), Code 1971, is amended to read as follows:

329 601.11 CHANGE OF VENUE FOR FRAUD. Where an action

330 is brought relying upon the foregoing provisions to

331 fix the venue in a [township] *justice of the peace*

332 *district* in a county other than the residence of the

333 signer of a written contract, and the defendant files

334 a verified answer setting forth a legal defense alleg-

335 ing fraud in the inception of the contract, and he

336 files therein a motion asking to have said cause

337 transferred to the county of his residence, accompanied

338 by a cost bond of fifty dollars to be approved by

339 the court where the action is brought, the justice

340 before whom such action is brought shall thereupon

341 order the same transferred to such county upon the

342 defendant paying fees of transcript and postage,

343 and all papers and transcript shall forthwith be

344 mailed, by certified mail [letter], to the clerk of

345 the district court of the county of defendant's

346 residence, and said cause shall be docketed for trial.

347 Sec. 32. Section six hundred one point fourteen

348 (601.14), Code 1971, is amended to read as follows:

349 601.14 IN ADJOINING [TOWNSHIP] *DISTRICT*. If there

350 is no justice in the proper [township] *justice of the*

351 *peace district* qualified or able to act, the action

352 may be commenced in any adjoining [township] *justice*

353 *of the peace district* in the same county. If there

354 [be no such] *is no* justice in an adjoining [township]

355 *district*, it may be commenced before [the] *a justice*

356 in [the same county nearest to the township in which

357 the defendant resides] *an adjoining county*.

358 Sec. 33. Section six hundred one point fifteen

359 (601.15), Code 1971, is amended by striking the section

360 and inserting in lieu thereof the following:

361 601.15 INVOICES FURNISHED. The board of
362 supervisors of each county shall furnish each justice
363 of the peace in the county with a record book
364 containing serially numbered invoice receipts in
365 triplicate. The original of each invoice receipt
366 shall be given to the defendant, one copy shall be
367 transmitted to the board of supervisors, and one copy
368 shall be retained by the justice of the peace. The
369 board of supervisors shall also furnish each justice
370 of the peace with a record book suitable for a docket.

371 Sec. 34. Section six hundred one point twenty-
372 three (601.23), Code 1971, is amended to read as
373 follows:

374 601.23 SERVICE AND RETURN. The service and return
375 thereto must be made in the same manner as in the
376 district court, except no service shall be made by
377 publication other than is herein provided, nor shall
378 any return made by another than the sheriff [or a
379 constable] of the county be valid unless sworn to.

380 Sec. 35. Section six hundred one point thirty-
381 five (601.35), Code 1971, is amended to read as
382 follows:

383 601.35 NEXT NEAREST JUSTICE. When a change is
384 allowed and the fees for transcript are paid, said
385 justice shall transmit all the original papers in
386 the case, and a transcript of his proceedings, to
387 the next nearest justice in the [township] county, if
388 there be any; if not, to the next nearest justice
389 in [his county] *an adjoining county*, and said justice
390 shall proceed to try said case, and, if he cannot
391 try the same immediately, he shall then fix a time
392 therefor, of which all parties shall take notice;
393 provided, however, anything herein to the contrary
394 notwithstanding, if any party seeking to have the
395 place of trial changed shall so request and designate
396 a municipal or superior court within the county, said
397 cause and all original papers and transcript shall
398 be removed immediately to such designated municipal
399 court or superior court, if there be such municipal
400 or superior court within the county, and docketed,
401 the filing fee to be paid by plaintiff, for nonpayment
402 of which the cause shall be dismissed.

403 Sec. 36. Section six hundred one point forty-nine
404 (601.49), Code 1971, is amended to read as follows:

405 601.49 JURY SUMMONED. If a jury [be] *is* demanded,
406 the justice shall issue his precept to [some constable
407 of the township] *the sheriff*, directing him to summon
408 the requisite number of jurors possessing the same
409 qualifications as are required in the district court.

410 Sec. 37. Section six hundred one point seventy-
411 three (601.73), Code 1971, is amended to read as
412 follows:

413 601.73 FORM. Such execution shall be against
414 the goods and chattels of the defendant therein, and

415 shall be directed to [any constable] *the sheriff* of
416 the county.

417 Sec. 38. Section six hundred one point one hundred
418 ten (601.110), Code 1971, is amended to read as
419 follows:

420 601.110 ATTACHMENT WITHOUT PERSONAL SERVICE.

421 In actions in which an attachment is sought, if it
422 is made to appear by affidavit that personal service
423 cannot be had on the defendant within the state, the
424 justice, upon the return day, unless the defendant
425 appear, shall make an order fixing the day for the
426 trial, not less than sixty days thereafter, and
427 requiring notice to be given by [any constable] *the*
428 *sheriff* as provided in section 601.111.

429 Sec. 39. Section six hundred one point one hundred
430 eighteen (601.118), Code 1971, is amended to read
431 as follows:

432 601.118 INTERCHANGE. In case of sickness, or
433 other disability, or absence of a justice at the time
434 fixed for a trial of a cause or other proceeding,
435 any other justice of the [township] *county or an*
436 *adjoining county* may, at his request, attend and
437 transact the business for him without any transfer
438 to another office. The entries shall be made in the
439 docket of the justice at whose office the business
440 is transacted, and the same effect shall be given
441 to the proceedings as though no such interchange of
442 official service had taken place.

443 Sec. 40. Section six hundred one point one hundred
444 twenty-two (601.122), Code 1971, is amended to read
445 as follows:

446 601.122 SHERIFF [AND CONSTABLE]. The [constable]
447 *sheriff* is the proper executive officer in a justice's
448 court[, but the sheriff may perform any of the duties
449 required of him]. The powers and duties of the sheriff
450 in relation to the business of the district court,
451 so far as the same are applicable and not modified
452 by statute, devolve upon the [constable] *sheriff* in
453 relation to the justice's court.

454 Sec. 41. Section six hundred one point one hundred
455 thirty-two (601.132), Code 1971, is amended to read
456 as follows:

457 601.132 ANNUAL REPORT TO BOARD OF SUPERVISORS.

458 *All justices of the peace shall pay into the county*
459 *treasury all criminal and civil fees collected in*
460 *each year including all fees collected pursuant to*
461 *section 601.128.* All justices of the peace [and
462 constables] shall under oath make an annual report
463 to the board of supervisors, upon blanks furnished
464 by the county auditor, of all criminal fees taxed
465 and collected during the year, which report shall
466 also show that all criminal fees and fines collectible
467 by law have been received, such annual report to be
468 made on the [first] *second* Monday in January[, and before

469 the annual settlement shall be made,] and accompanied
470 with the receipts of the treasurer for all money paid
471 in to him.

472 *All justices of the peace shall make an annual*
473 *report for the preceding calendar year to the board*
474 *of supervisors and to the district court, upon blanks*
475 *furnished by the board of supervisors, of their total*
476 *case loads including all actions brought before them.*
477 *The report shall be filed on or before January*
478 *fifteenth of each year for the preceding year.*

479 Sec. 42. Section six hundred one point one hundred
480 thirty-three (601.133), Code 1971, is amended to read
481 as follows:

482 601.133 QUARTERLY REPORT TO COUNTY AUDITOR.

483 Justices of the peace shall make, under oath, quarterly
484 reports, upon blanks furnished by the county auditor,
485 and shall file the same with the county auditor, which
486 reports shall contain a true and correct transcript
487 of all criminal proceedings which have been instituted
488 or adjudicated in their courts, with the names of
489 all attending witnesses and jurors and fees taxed
490 [in their favor].

491 Sec. 43. Section six hundred one point one hundred
492 thirty-four (601.134), Code 1971, is amended to read
493 as follows:

494 601.134 ATTENDANCE AT JUDICIAL CONFERENCE. [It

495 shall be the duty of the justices of the peace to attend
496 the conference or school of instruction designated
497 for them by the chief justice of the supreme court.]
498 *Annually the court administrator of the judicial*
499 *department shall cause at least one conference or*
500 *school of instruction to be conducted for justices*
501 *of the peace, which each justice of the peace shall*
502 *attend unless excused by the court administrator for*
503 *good cause. Reimbursement of expenses of attending*
504 *[one] such [conference] conferences or [school] schools*
505 *of instruction [per year] shall be made from the general*
506 *fund of their county and be subject to the limitation*
507 *contained in section 605.2. A justice of the peace*
508 *who does not attend a conference or school and has*
509 *not been excused by the court administrator is dis-*
510 *qualified from office and a new justice of the peace*
511 *shall be appointed within thirty days by the county*
512 *board of supervisors.*

513 Sec. 44. Chapter six hundred one (601), Code 1971,
514 is amended by adding the following new sections:

515 1. "Any person appearing as a defendant before
516 a justice of the peace may have his case heard by
517 the judge of the nearest municipal court, and in such
518 case the judge of the municipal court shall act on
519 behalf of the justice of the peace. Prior to the
520 commencement of the hearing before the justice of
521 the peace, the justice of the peace shall inform the
522 defendant of his right to be tried by the judge of

523 the municipal court."

524 2. "If the chief judge of a judicial district
525 finds that cause exists for removal of a justice of
526 the peace, he shall remove the justice of the peace
527 and a successor shall be appointed by the county board
528 of supervisors."

529 3. "The chief judge of the judicial district on
530 the basis of the case load of each justice of the
531 peace, shall set the annual salary of each justice
532 of the peace as follows:

533 1. For hearing one hundred cases or less, six
534 hundred dollars.

535 2. For hearing not more than two hundred cases
536 but not less than one hundred one cases, nine hundred
537 dollars.

538 3. For hearing not more than four hundred cases
539 and not less than two hundred fifty cases, one thousand
540 eight hundred dollars.

541 4. For hearing not more than six hundred cases
542 and not less than four hundred one cases, two thousand
543 four hundred dollars.

544 5. For hearing not more than eight hundred cases,
545 and not less than six hundred one cases, three thousand
546 dollars.

547 6. For hearing not more than one thousand two
548 hundred cases and not less than eight hundred one
549 cases, four thousand two hundred dollars.

550 7. For hearing more than one thousand two hundred
551 cases, four thousand eight hundred dollars."

552 4. "The salary of the justice of the peace shall
553 be payable monthly from the court fund of the county
554 in which his justice of the peace district is located
555 and also his actual and necessary expenses in the
556 performance of his duties away from his district
557 pursuant to section six hundred five point two (605.2)
558 of the Code. The chief judge of the judicial district
559 shall certify to the appropriate county auditor the
560 annual salary to which each justice in his judicial
561 district is entitled."

562 5. "On January 1, 1975 justices of the peace whose
563 terms of office expire shall file all documents and
564 books pertaining to their office with the newly-elected
565 justices of the peace of the justice of the peace
566 district in which they are located. The newly elected
567 justices of the peace shall assume jurisdiction over
568 cases pending before the justices of the peace whose
569 terms have expired."

570 Sec. 45. Section six hundred two point one (602.1),
571 Code 1971, is amended to read as follows:

572 602.1 COURT ESTABLISHED—DISTRICT DEFINED. A
573 municipal court may be established in any city having
574 a population of five thousand or more, by proceeding
575 as hereinafter provided. All that part of each civil
576 township within the corporate limits of such city
577 shall constitute the municipal court district, *except*

578 *that upon the request of a justice of the peace, a*
579 *municipal court judge shall have jurisdiction over*
580 *the specific action for which the request is made.*

581 Sec. 46. Chapter six hundred four (604), Code
582 1971, is amended by adding the following new sections:

583 "The chief judge of a judicial district may remove
584 a justice of the peace of that judicial district from
585 office for cause."

586 "The chief judge of a judicial district on the
587 basis of case load of each justice of the peace shall
588 set the annual salary of each justice of the peace
589 pursuant to section forty-four (44), subsection three
590 (3) of this Act. For the initial year the case load
591 for each justice of the peace district shall be
592 determined by dividing the total number of cases of
593 justices of the peace in the county for the preceding
594 year by the number of justice of the peace districts
595 established in section three (3) of this Act in each
596 county. For each succeeding year, the caseload shall
597 be the caseload of the justice of the peace district
598 of the preceding year."

599 Sec. 47. Section six hundred twenty-two point
600 sixty-three (622.63), Code 1971, is amended to read
601 as follows:

602 622.63 SUBPOENAS. The clerks of the several
603 courts shall, on application of any person having
604 a cause or matter pending in court, issue a subpoena
605 for witnesses under the seal of the court, inserting
606 all the names required by the applicant in one
607 subpoena, if practicable, which may be served by the
608 sheriff [or any constable] of the county, or by the
609 party or any other person.

610 Sec. 48. Section six hundred twenty-two point
611 seventy-eight (622.78), Code 1971, is amended to read
612 as follows:

613 622.78 SERVING SUBPOENA. If a witness conceals
614 himself, or in any manner attempts to avoid being
615 personally served with a subpoena, any sheriff [or
616 constable] having the subpoena may use all necessary
617 and proper means to serve the same, and may for that
618 purpose break into any building or other place where
619 the witness is to be found, having first made known
620 his business and demanded admission.

621 Sec. 49. Section six hundred thirty-nine point
622 sixty-eight (639.68), Code 1971, is amended to read
623 as follows:

624 639.68 SHERIFF[—CONSTABLES]. The "sheriff",
625 or "officer", as used in this chapter is meant to
626 apply to [constables when the proceedings are in a
627 justice's court, or] the like officer of any other
628 court.

629 Sec. 50. Section six hundred forty-two point one
630 (642.1), Code 1971, is amended to read as follows:

631 642.1 WHO MAY BE GARNISHED. A sheriff [or constable]
632 may be garnished for money of the defendant in his

633 hands; a judgment debtor of the defendant, when the
634 judgment has not been assigned on the record, or by
635 writing filed in the office of the clerk and by him
636 minuted as an assignment on the margin of the judgment
637 docket; and an executor, for money due from decedent.

638 Sec. 51. Section six hundred forty-four point
639 one (644.1), Code 1971, is amended to read as follows:

640 644.1 TAKING UP VESSELS, RAFTS, LOGS AND LUMBER.

641 If any person shall stop or take up any vessel or
642 watercraft, or any raft of logs, or part thereof,
643 or any logs suitable for making lumber or hewn timber,
644 or sawed lumber, found adrift within the limits or
645 upon the boundaries of this state, of the value of
646 five dollars or upwards, including the cargo, tackle,
647 rigging, and other appendages of such vessel or water-
648 craft, such person, within five days thereafter,
649 provided the same shall not have been previously
650 proved and restored to the owner, shall go before
651 some justice of the peace in the [township] county where
652 such property is found, and make affidavit setting
653 forth the exact description of such property; where
654 and when the same was found; whether any, and if so
655 what cargo, tackle, rigging, or other appendages were
656 found on board or attached thereto; and that the same
657 has not been altered or defaced, either in whole or
658 in part, since the taking up, either by him or by
659 any other person to his knowledge.

660 Sec. 52. Section six hundred forty-four point
661 two (644.2), Code 1971, is amended to read as follows:

662 644.2 WARRANT—APPRAISAL—RETURN—RECORD. The
663 said justice shall thereupon issue his warrant,
664 directed to [some constable of his township] *the sheriff*
665 *of the county*, commanding him to summon three
666 respectable householders of the neighborhood, who
667 shall proceed without delay to examine and appraise
668 such property, including cargo, tackle, rigging, and
669 other appendages if any there be, and to make report
670 thereof under their hands to the justice issuing such
671 warrant, who shall enter the same, together with the
672 affidavit of the taker-up, at large in his estray
673 book, and within five days shall transmit a certified
674 copy thereof to the county auditor of the proper
675 county, to be by him recorded in his estray book and
676 filed in his office.

677 Sec. 53. Section six hundred forty-eight point
678 five (648.5), Code 1971, is amended to read as follows:

679 648.5 JURISDICTION—TRANSFER—APPEAL. The
680 district, municipal, and superior courts, *and justices*
681 *of the peace* within the county, [and justices of the
682 peace within the township] where the subject matter
683 of the action is situated, shall have concurrent
684 jurisdiction of actions for the forcible entry or
685 detention of real property, and the court first
686 acquiring jurisdiction of an action therefor shall
687 retain the same until judgment, unless it is

688 transferred as hereinafter provided. Where an action
689 is brought in the district, superior, [of] or municipal
690 court it shall be tried as an equitable action, and
691 upon presentation of the petition to the court or
692 judge after the same has been filed, the court or
693 judge shall make an order fixing the time and place
694 for hearing upon said petition and shall prescribe
695 that notice of the hearing be personally served upon
696 the defendant or defendants, which service shall be
697 at least five days prior to the date set for hearing.
698 By agreement of the parties, it may be transferred
699 from a justice's court to a municipal, superior, or
700 the district court, or from a superior or a municipal
701 to the district court, and all such actions in which
702 judgment is rendered in a justice's court may be
703 appealed to the district or superior court, as provided
704 by law.

705 Sec. 54. Section six hundred forty-eight point
706 eight (648.8), Code 1971, is amended to read as
707 follows:

708 648.8 VENUE. When brought before a justice of
709 the peace, and there is none present or qualified
710 to act in the [township] *justice of the peace district*
711 where the subject thereof is situated, it may be
712 brought in an adjoining [township] *district* in the
713 county. If there [be] *is* no such justice in an adjoining
714 [township] *district* in the county it may be commenced
715 before [the] *a* justice in [the same] *an adjoining* county
716 nearest to the [township] *justice of the peace district*
717 in which the subject thereof is situated.

718 Sec. 55. Section six hundred sixty-seven point
719 five (667.5), Code 1971, is amended to read as follows:

720 667.5 SERVICE OF WARRANT. Any [constable or] marshal
721 of any city or town may execute the warrant, whether
722 it issues from the office of the clerk of the district
723 or superior court, or of a justice.

724 Sec. 56. Section seven hundred nine point nine
725 (709.9), Code 1971, is amended to read as follows:

726 709.9 TAKING GOODS FROM OFFICER. If any person,
727 knowingly and without authority of law, take, carry
728 away, secrete, or destroy any goods or chattels while
729 the same are lawfully in the custody of any sheriff,
730 county medical examiner, marshal, [constable,] or other
731 officer, and held by such officer by virtue of
732 execution, writ of attachment, or other legal process,
733 he shall be guilty of larceny, and, when the value
734 of the property so taken, carried away, secreted,
735 or destroyed exceeds the sum of twenty dollars, be
736 imprisoned in the penitentiary not more than one year;
737 and when it does not exceed twenty dollars, be fined
738 not exceeding one hundred dollars, or imprisoned in
739 the county jail not more than thirty days.

740 Sec. 57. Section seven hundred twenty-five point
741 nine (725.9), Code 1971, is amended to read as follows:

742 725.9 WARRANTS FOR SEARCH OR SEIZURE. Any
743 magistrate or police judge is authorized, on complaint
744 supported by oath or affirmation of one or more
745 persons, to issue a warrant, directed to the sheriff
746 of the county within which such complaint is made,
747 [or to any constable] or police officer within said
748 county, directing him or them, or any of them, to
749 search for, seize and take possession of such books,
750 papers, pictures, circulars, articles, and things
751 named in this chapter; and said magistrate or police
752 judge shall deliver personally, or shall transmit,
753 enclosed and under seal, specimens thereof to the
754 county attorney of his county, and shall deposit
755 within the county jail of his county, or other secure
756 place, as to him shall seem meet, enclosed and under
757 seal, the remainder thereof, and shall, upon the
758 conviction of the person or persons offending under
759 the provisions of this chapter, forthwith, in the
760 presence of the person or persons upon whose complaint
761 the seizure or arrest was made, if he or they shall
762 elect to be present, destroy, or cause to be destroyed,
763 the remainder thereof and shall cause to be entered
764 upon the record of his court the fact of such
765 destruction.

766 Sec. 58. Section seven hundred thirty-nine point
767 nine (739.9), Code 1971, is amended to read as follows:
768 739.9 SHERIFF OR OTHER OFFICERS RECEIVING BRIBES.
769 If any sheriff[,] or deputy sheriff[, or constable], or
770 any marshal, deputy marshal, policeman, or police
771 officer of any city or town, receive from a defendant,
772 or other person, any money or other valuable thing
773 as a consideration or inducement for omitting or
774 delaying to arrest any defendant or to carry him
775 before a magistrate or to prison, or for postpon-
776 ing, delaying, or neglecting the sale of property
777 on execution, or for omitting or delaying to perform
778 any other duty pertaining to his office, he shall
779 be fined not exceeding five hundred dollars, or
780 imprisoned in the county jail not exceeding six months,
781 or both fined and imprisoned, at the discretion of
782 the court.

783 Sec. 59. Section seven hundred forty point five
784 (740.5), Code 1971, is amended to read as follows:
785 740.5 FALSELY ASSUMING TO BE OFFICER. If a person
786 falsely assume to be a judge, justice of the peace,
787 magistrate, sheriff, deputy sheriff, peace officer,
788 special agent of the Iowa department of public safety,
789 or conservation officer, [or constable,] and take upon
790 himself to act as such, or require anyone to aid or
791 assist him in any matter pertaining to the duty of
792 any such officer, he shall be imprisoned in the county
793 jail not more than one year, or be fined not exceeding
794 three hundred dollars.

795 Sec. 60. Section seven hundred forty point six

796 (740.6), Code 1971, is amended to read as follows:
 797 740.6 STIRRING UP QUARRELS AND SUITS. If any
 798 judge, justice of the peace, clerk of any court,
 799 sheriff, [constable,] attorney, or counselor at law,
 800 encourage, excite or stir up any action, quarrel,
 801 or controversy between two or more persons, with
 802 intent to injure such persons, he shall be fined not
 803 exceeding five hundred dollars, and shall be answerable
 804 to the party injured in treble damages.

805 Sec. 61. Section seven hundred forty-three point
 806 four (743.4), Code 1971, is amended to read as follows:
 807 743.4 UNLAWFUL ASSEMBLAGES—DISPERSION. When
 808 persons to the number of twelve or more, armed with
 809 dangerous weapons, or persons to the number of thirty
 810 or more, whether armed or not, are unlawfully or
 811 riotously assembled in any city or town, any judge,
 812 sheriff, and his deputies if they be present, the
 813 mayor, alderman, marshal, [constables,] and justices
 814 of the peace of such city or town must go among the
 815 persons assembled, or as near them as may be safe,
 816 and command them, in the name of the state, immediately
 817 to disperse.

818 Sec. 62. Section seven hundred forty-eight point
 819 three (748.3), subsection two (2), Code 1971, is
 820 amended by striking the subsection.

821 Sec. 63. Section seven hundred sixty-one point
 822 three (761.3), Code 1971, is amended to read as
 823 follows:

824 761.3 PROCEDURE ON CHANGE. On filing such an
 825 affidavit a change of venue must be allowed, and the
 826 magistrate must immediately transmit all original
 827 papers, and a transcript of the entire record in the
 828 case, to the nearest magistrate in the [township, if
 829 there be one, if not, to the nearest magistrate in
 830 the] county, who shall proceed with said examination
 831 as hereinafter provided; but one such change shall
 832 be allowed.

833 Sec. 64. Section seven hundred sixty-two point
 834 fourteen (762.14), Code 1971, is amended to read as
 835 follows:

836 762.14 CHANGE ALLOWED—TRANSMISSION OF PAPERS.
 837 If such affidavit be filed, the change of place of
 838 trial must be allowed, and the justice must immediately
 839 transmit all the original papers, and a transcript
 840 of all his docket entries in the case, to the next
 841 nearest justice in the [township] *county or an adjoining*
 842 *county*, unless said justice be a party to the action,
 843 or is related to either party by consanguinity, or
 844 affinity within the fourth degree, or where he has
 845 been attorney for either party in the action or
 846 proceedings; and in such case the justice before whom
 847 such action or proceeding is commenced shall transmit
 848 all the original papers, together with a transcript
 849 of all his docket entries, to [the next nearest] *another*

850 justice in the county or adjoining county against
 851 whom none of the above objections exist, who shall
 852 proceed with the case as provided in this chapter,
 853 but not more than one change of place of trial in the
 854 same case shall be allowed.

855 Sec. 65. Section seven hundred sixty-two point
 856 forty-four (762.44), unnumbered paragraph five (5),
 857 Code 1971, is amended to read as follows:

858 Accepted by me, at, in the [township]
 859 county of, this day of
 860, A. D.

861 C..... D.....
 862 Justice of the peace.

863 Sec. 66. Section seven hundred sixty-three point
 864 four (763.4), Code 1971, is amended to read as follows:

865 763.4 FORM OF BAIL BOND. Bail is put in by a
 866 written undertaking, executed by one or more sufficient
 867 sureties (with or without the defendant, in the
 868 discretion of the court, clerk, or magistrate),
 869 accepted by the court, clerk, or magistrate taking
 870 the same, and may be substantially in the following
 871 form:

872 County of
 873 An order having been made on the day of
 874, A.D., by A..... B.....
 875 a justice of the peace (or other magistrate), of the
 876 [township] county of, (or as the case
 877 may be) that C D be held
 878 to answer upon a charge of (stating briefly the nature
 879 of the offense), upon which he has been duly admitted
 880 to bail, in the sum of dollars.

881 We, E..... F and G H
 882, hereby undertake that the said C
 883 D, shall appear at the
 884 district court of the county of,
 885 on the day of (month), 19.....
 886 (year) (which date shall not be more than twenty days
 887 after perfection of the undertaking), and answer said
 888 charge, and submit to the orders and judgment of said
 889 court, and not depart without leave of the same, or,
 890 if he fail to perform either of these conditions,
 891 that we will pay to the state of Iowa the sum of
 892 dollars (inserting the sum in which
 893 the defendant is admitted to bail).

894 E..... F.....
 895 G..... H.....

896 Accepted by me as, [in the township
 897 of,] in the county of,
 898 this day of, A. D.
 899

900 I..... J..... (with official title).

901 Sec. 67. Sections six hundred one point one hundred
 902 nineteen (601.119), six hundred one point one hundred
 903 twenty-one (601.121), six hundred one point one hundred

904 twenty-nine (601.129), six hundred one point one
 905 hundred thirty-one (601.131), and six hundred twenty-
 906 six point seventy-six (626.76), Code 1971, are
 907 repealed.

908 Sec. 68. The effective date of this Act shall
 909 be July 1, 1974. Justices of the peace elected on
 910 the first Tuesday after the first Monday in November
 911 of 1972 shall complete their terms of office. Justices
 912 of the peace shall be elected pursuant to the provi-
 913 sions of this Act on the first Tuesday after the first
 914 Monday in November of 1974.

915 2. Amend the title, page 1, line 1, by striking
 916 all after the word "Act".

917 3. Amend the title, page 1, by striking lines
 918 2 through 6, inclusive, and inserting in lieu thereof
 919 the words "justice of the peace, mayor's courts,
 920 police courts, and local law enforcement personnel."

GRASSLEY of Butler
 HOLDEN of Scott
 RADL of Linn

1 Amend Senate File 1008 as amended and passed by
 2 the Senate and reprinted, by adding the following
 3 new section:

4 "Section five hundred twenty-four point five hundred
 5 nineteen (524.519), subsection one (1), Code 1971,
 6 is amended to read as follows:

7 524.519 CHANGE OF CONTROL—SHARES AS SECURITY—
 8 —REPORTS.

9 1. Whenever [a change occurs in the ownership] *any*
 10 *person proposes to purchase or otherwise acquire*
 11 *directly or indirectly any* of the outstanding shares
 12 of a state bank [which will], *and the proposed pur-*
 13 *chase or acquisition would result in control or in*
 14 *a change in control of [a state] the bank, the person*
 15 *proposing to purchase or acquire the shares shall*
 16 *first apply in writing to the superintendent for a*
 17 *certificate of approval for the proposed change of*
 18 *control. The superintendent shall grant the*
 19 *certificate if he is satisfied that the person who*
 20 *proposes to obtain control of the bank is qualified by*
 21 *character, experience and financial responsibility*
 22 *to control and operate the bank in a sound and legal*
 23 *manner, and that the interests of the depositors,*
 24 *creditors and shareholders of the bank, and of the*
 25 *public generally, will not be jeopardized by the*
 26 *proposed change of control. If the proposed purchaser*
 27 *or acquirer is a bank holding company as defined by*
 28 *section seven (7) of this Act, it shall comply with*
 29 *section ten (10) of this Act in lieu of seeking a*
 30 *certificate of approval under this subsection. In*
 31 *any situation where he has reason to believe any of*
 32 *the foregoing requirements have not been complied*
 33 *with, it shall be the duty of the president or cashier*
 34 *[shall] of a bank to promptly report in writing such*

35 facts to the superintendent upon obtaining knowledge
36 thereof. As used in this section, the term control
37 means the power, directly or indirectly, to elect
38 the board of directors. If there is any doubt as
39 to whether a change in the ownership of the outstanding
40 shares is sufficient to result in control thereof,
41 or to effect a change in the control thereof, such
42 doubt shall be resolved in favor of reporting the
43 facts to the superintendent."

GLUBA of Scott
SMALL of Johnson

On motion by Varley of Adair, the House adjourned until
9:00 a.m., Wednesday, February 16, 1972.

JOURNAL OF THE HOUSE

Thirty-eighth Calendar Day—Twenty-eighth Session Day

HALL OF THE HOUSE OF REPRESENTATIVES
DES MOINES, IOWA, WEDNESDAY, FEBRUARY, 16, 1972

The House met pursuant to adjournment, Speaker Harbor in the chair.

Prayer was offered by the Reverend John McCallum, pastor of the Church of Christ Uniting, Lake City, Iowa.

The Journal of Tuesday, February 15, 1972, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. T. E. Kane, Boone, Iowa.

PRESENTATION OF VISITORS

Winkelman of Calhoun presented to the House the following Youth Fellowship exchange students from Brazil: Flora Maria Quirola, Pedro Luis Denes, Tomas de Aquino Lima Pereira, and Rogerio Rosas Gomes.

Priebe of Kossuth presented to the House the following students from Ecuador: Carlos Leon and Salome Morgon.

The Speaker announced that the following visitors were present in the House chamber:

Thirty-seven students from Sidney High School, Sidney, Iowa, accompanied by their instructors, Mr. Ridnour and Mr. Houchin. By McElroy of Fremont.

Thirty Y-Teen girls from Creston High School, Creston, Iowa, accompanied by their leader, Mrs. Larry Hicks. By Christensen of Union.

Seven members of the Town and Country Y.W.C.A. from Audubon County. By Pellett of Cass.

Thirteen Y-Teen girls from Atlantic High School, Atlantic, Iowa, accompanied by their leader, Gail Morse. By Pellett of Cass.

Fifty-sixth grade students from Hubbell Elementary School,

Des Moines, Iowa, accompanied by their instructors, Mrs. Chisolm and Mrs. McWilliams. By Hill of Polk.

Eleven Boy Scouts from Troop 3 of Linn County, accompanied by Don Eichenberger and Eugene DeYoung. By Sorg of Linn.

Thirty-one Boy Scouts from Troop 60 of Linn County, accompanied by DeWayne Johanos and Ken McMurray. By Sorg of Linn.

Sixty ninth grade students from the social studies class of Hampton School, Hampton, Iowa, accompanied by their instructor, Mr. Sternberg. By Scott of Franklin.

A group of farm coop students from Kirkwood Community College, Cedar Rapids, Iowa, accompanied by Dale Rickert, former member of the House during the Sixty-first General Assembly representing Louisa and Muscatine Counties.

ADOPTION OF COMMITTEE REPORTS

The Chief Clerk announced the adoption of reports of committees on House Files 643, 689, 1039, 1042 and 1075 and Senate Files 127, 260, 418, 1003, 1005, 1008, 1014, 1024, 1030, 1069 and 1070, under Rule 35.

INTRODUCTION OF BILLS

House File 1211, by Freeman, a bill for an act relating to the powers of the commissioner of insurance.

Read first time and referred to committee on **commerce**.

House File 1212, by Logemann, Lipsky, Schroeder, Christensen, Scott, and Bergman, a bill for an act relating to the legal settlement of persons admitted or committed to or becoming patients or residents of, state institutions, health care facilities, and similar public and private facilities.

Read first time and referred to committee on **social services**.

House File 1213, by committee on appropriations, a bill for an act making an appropriation to the office of secretary of state to defray expenses relating to the administration of election laws.

Read first time and **placed on the calendar**.

House File 1214, by committee on appropriations, a bill for an act relating to funding of the merit system pay plan and making an appropriation.

Read first time and **placed on the calendar.**

House File 1215, by Freeman and Campbell, a bill for an act relating to reversion to the state of abandoned railroad right-of-way.

Read first time and referred to committee on **commerce.**

House File 1216, by Hansen, a bill for an act relating to the requirement that county mutual insurance associations must send out premium due notices.

Read first time and referred to committee on **commerce.**

House File 1217, by Blouin, a bill for an act to make an appropriation from the general fund of the state of Iowa to the governor's youth program.

Read first time and referred to committee on **appropriations.**

House File 1218, by Small, a bill for an act relating to the excise tax on leaded and nonleaded motor fuels.

Read first time and referred to committee on **ways and means.**

House File 1219, by committee on conservation and recreation, a bill for an act related to the destruction of undesirable fish.

Read first time and **placed on the calendar.**

House File 1220, by committee on state government, a bill for an act authorizing the use of electronic voting systems.

Read first time and **placed on the calendar.**

House File 1221, by Gluba, a bill for an act relating to migratory labor camps.

Read first time and referred to committee on **human and industrial relations.**

SENATE MESSAGE CONSIDERED

Senate File 1101, a bill for an act relating to the taxation of real estate transfers and the penalty for failure to comply.

Read first time and referred to committee on **ways and means.**

MOTION TO TABLE OUT OF ORDER

(House File 48)

Schroeder of Pottawattamie rose on a point of order that the action by the House in tabling **House File 48** was out of order.

The Chair ruled the point well taken and that the motion to table was out of order in that the motion to table **House File 48**

does not concern itself with the merits of House File 48, only the parliamentary procedure and that Rule 11, Section 3, of the Joint Rules of the House and Senate is applicable.

EXPLANATION OF VOTE
(House File 48)

I was called from the House chambers on a legislative matter at the time the vote was taken to table House File 48, on February 15, 1972, and I was not able to cast a vote. Had I been in the chambers, I would have voted "No" for the reasons that I feel that the Motion to Table was contrary to the House rules and that the Bill should have been fully discussed.

DOYLE of Woodbury

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has adopted the following joint resolution in which the concurrence of the Senate was asked:

House Joint Resolution 1004, proposing an amendment to the Constitution of the State of Iowa to provide means for the General Assembly to convene itself into special session.

Also: That the Senate has refused to concur in the House amendment to Senate File 85, a bill for an act creating a department of environmental quality.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File 1090, a bill for an act relating to the commitment of alcohol and drug addicts.

Also: That the Senate has concurred in House amendment to, and passed Senate File 1046, a bill for an act permitting the commissioner of social services to grant water and sewage easement to the municipal corporation of Eldora.

CARROLL A. LANE, Secretary

HOUSE CONCURRENT RESOLUTION 111
By Committee on Agriculture

Whereas, we, the members of the agriculture committee of the Iowa House of Representatives, have a deep concern for the problems of the grain producers of our state in marketing grain and oil seeds, the market price of which is determined by established grade; and

Whereas, hundreds of Iowa grain producers are submitting grain and oil seeds to local markets, which grain and oil seeds average consistently higher in quality and grade than is provided for in the present grade-pricing system; and

Whereas, these producers of premium quality grain and oil seeds are unable to procure premium prices for their products under the present grade-price structure, *Now, Therefore,*

Be It Resolved by the House, the Senate Concurring, That the President of the United States, the Secretary of Agriculture of the United States, the

Congress of the United States, and the Committees on Agriculture of the United States House of Representatives and Senate be directed to immediately institute a study of the present price-grading system for grains and oil seeds in the United States with the intent of establishing a new base for determining the market price of feed grains and oil seeds; and

Be It Further Resolved, That copies of this resolution be transmitted to the President of the United States, the Secretary of Agriculture of the United States, the Speaker of the United States House of Representatives, the President of the United States Senate, the Committees on Agriculture of the United States House of Representatives and Senate and to all members of the Iowa delegation to the Congress of the United States.

Laid over under Rule 25.

HOUSE CONCURRENT RESOLUTION 112

By Millen and Clark

Whereas, the Aquinas High School Band of Fort Madison, Iowa, is the only band which has been invited to represent the state of Iowa in the Olympic Marching Band Tour and Competition; and

Whereas, the Fort Madison Aquinas High School Band will be competing in several European cities, among them Amsterdam, Berlin, Wiesbaden, Mainz, and Munich during the Olympic Marching Band Tour and Competition; and

Whereas, the Fort Madison Aquinas High School Band will be eligible, if selected as one of the three top bands during the tour and competition, to perform at the Olympic Village in Munich, Germany on August 26, 1972, which is the opening day of the Olympiad; and

Whereas, the Fort Madison Aquinas High School Band in accepting the invitation to participate in this great international event is bestowing upon the state of Iowa recognition, honor, and praise; and

Whereas, the members of the Fort Madison Aquinas High School Band and their families have agreed to absorb half of the cost of attending and participating in the Olympic festival but are hopeful that the remaining cost can be paid for from contributions by and efforts of industry, civic groups, fraternal organizations, and individuals of Iowa, *Now, Therefore*,

Be It Resolved by the House of Representatives, the Senate Concurring, That congratulations be extended to the members and the director of the Fort Madison Aquinas High School Band, and any other persons who have aided the band to receive the invitation to participate in the 1972 Olympic Marching Band Tour and Competition, and that best wishes for success be extended to the Fort Madison Aquinas High School Band; and

Be It Further Resolved, That the General Assembly urges industry, civic groups, fraternal organizations, and individual citizens of Iowa to support the Fort Madison Aquinas High School Band in its efforts to raise sufficient funds to participate in the 1972 Olympic festival.

Laid over under Rule 25.

REPORT OF THE CONFERENCE COMMITTEE ON SENATE FILE 392

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to consider the difference between the the Senate and the House of Represen-

tatives on Senate File 392, a bill for an act relating to the eradication of hog cholera and the control and eradication of the swine diseases, respectfully submit the following recommendations:

1. That the House of Representatives recede from its amendments.
2. That Senate File 392 as amended, passed, and reprinted by the Senate be amended as follows:

- a. Page 4A, line 5, by inserting after the period the following:

"The department shall make ear tags available at convenient locations within each county and shall sell such tags at a price not exceeding the cost to producers and others to comply with this section."

- b. Page 4A, line 19, by inserting after the period the following:

"All such movement of swine shall be completed within seventy-two hours unless an extension of time for movement is granted by the department."

- c. Page 4A, line 27, by inserting after the period the following:

"In addition, native Iowa swine moved from farm to farm may be excepted from the identification requirement if the seller and purchaser sign a statement providing that feeder pigs will not be commingled for a period of thirty days and such fact is stated on the health certificate."

On the Part of the Senate:

RICHARD L. STEPHENS,
Chairman
ROGER SHAFF
BASS VAN GILST

On the Part of the House:

CHARLES F. STROTHMAN,
Chairman
LaVERNE SCHROEDER
JOHN CAMP
KEITH DUNTON

CONSIDERATION OF BILLS

REGULAR CALENDAR

The House resumed consideration of **House File 711**, a bill for an act relating to registration and safety regulations for snowmobiles and the following amendment filed by the committee on conservation and recreation:

House File 711 is amended by striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. **DECLARATION OF POLICY.** It is the policy of this state to promote safety for persons, property, and the environment relating to the use, operation and equipment of snowmobiles and to promote uniformity of laws and rules relating thereto.

Sec. 2. Section three hundred twenty-one G point one (321G.1), Code 1971, is amended by striking the section and inserting in lieu thereof the following:

321G.1 DEFINITIONS. As used in this Act, unless the context otherwise requires:

1. "Commission" means the state conservation commission.
2. "Snowmobiles" means any self-propelled vehicle weighing less than one thousand pounds which

utilizes wheels with low pressure tires and is designed to operate on land or ice or is equipped with sled-type runners or skis, endless belt-type tread, or any combination thereof, and is designed for travel upon snow, land or ice, except any vehicle registered as a motor vehicle under chapter three hundred twenty-one (321) of the Code.

3. "Person" means an individual, partnership, firm, corporation, association, and the state, its agencies, and political subdivisions.

4. "Owner" means a person, other than a lien holder, having the property right in or title to a snowmobile. The term includes a person entitled to the use or possession of a snowmobile subject to an interest in another person, reserved or created by agreement and securing payment or performance of an obligation, but the term excludes a lessee under a lease not intended as security.

5. "Operate" means to ride in or on, other than as a passenger, use or control the operation of a snowmobile in any manner, whether or not the snowmobile is moving.

6. "Operator" means every person who operates or is in actual physical control of a snowmobile.

7. "Dealer" means every person engaged in the business of buying, selling, or exchanging snowmobiles required to be registered under this Act and who has an established place of business for that purpose in this state.

8. "Manufacturer" means every person engaged in the business of constructing or assembling snowmobiles required to be registered under this Act and who has an established place of business for that purpose in this state.

9. "Established place of business" means the place actually occupied either continuously or at regular periods by a dealer or manufacturer where his books and records are kept and his business is primarily transacted.

10. "Special event" means an organized race, exhibition, or demonstration of limited duration which is conducted according to a prearranged schedule and in which the general public interest is manifested.

11. "Roadway" means that portion of a highway improved, designed, or ordinarily used for vehicular travel.

12. "Street" or "highway" means the entire width between property lines of every way or place of whatever nature when any part thereof is open to the use of the public, as a matter of right, for purposes of vehicular travel, except in public areas in which the boundary shall be thirty-three feet each side of the center line of the roadway.

13. "A" scale" means the physical scale marked "A" graduated in decibels on a sound level meter which meets the requirements of the American national standards institute, incorporated, publication S1.4-1961, general purpose sound level meters.

Sec. 3. Section three hundred twenty-one G point two (321G.2), Code 1971, is amended by adding the following new paragraph:

"In the promulgation of such rules and regulations, consideration shall be given to the need to protect the environment and the public health, safety and welfare; to protect private property, public parks and other public lands; to protect wildlife and the habitat thereof; and to promote uniformity of rules relating to the use, operation and equipment of snowmobiles.

Sec. 4. Section three hundred twenty-one G point three (321G.3), Code 1971, is amended by adding the following new paragraph:

"A registration number shall be assigned, without payment of fee, to snowmobiles owned by the state of Iowa or its political subdivisions upon application therefor, and the assigned registration number shall be displayed on the snowmobile as required under section three hundred twenty-one G point five (321G.5) of the Code."

Sec. 5. Section three hundred twenty-one G point five (321G.5), Code 1971, is amended by adding the following new paragraph:

The owner of any snowmobile which is used as a watercraft and is required to be numbered as a watercraft may display the watercraft number on the forward half of the snowmobile in lieu of the snowmobile identification number, but the current snowmobile registration decal shall also be affixed aft of the current watercraft registration decal."

Sec. 6. Section three hundred twenty-one G point six (321G.6), unnumbered paragraphs one (1), two (2) and three (3), Code 1971, are amended to read as follows:

Every registration certificate and number issued shall expire at midnight [April 30] *December 31*, unless sooner terminated or discontinued in accordance with the provisions of this chapter. *Provided that registration of any snowmobile prior to the effective date of this Act shall be valid for the time specified on that registration.* After the first day of [January] *September* each year, any unregistered snowmobile and renewals of registration may be so registered for the subsequent year beginning [May] *January* 1.

After the first day of [January] *September* any unregistered snowmobile may be registered for the remainder of the current registration period and for

the subsequent registration period in one transaction. The fee shall be three dollars for the remainder of the current period, in addition to the registration fee of six dollars for the subsequent year beginning [May] *January 1*, and a writing fee of fifty cents. Registration certificates and numbers may be renewed upon application of the owner in the same manner as provided for in securing the original registration. *The snowmobile registration fee shall be in lieu of personal property tax for the calendar year of said registration.*

If the application for registration for the subsequent year is not made before [May] *January 1* of each year the applicant shall be charged a penalty of one dollar for each six month's delinquency, or any portion thereof.

Sec. 7. Section three hundred twenty-one G point eight (321G.8), subsection four (4), Code 1971, is amended as follows:

Snowmobiles not registered or licensed in another state or county being used in this state [during an organized race or exhibition] *while engaged in a special event* and not remaining in the state for a period of more than ten days.

Sec. 8. Section three hundred twenty-one G point eleven (321G.11), Code 1971, is amended by striking the section and inserting in lieu thereof the following:

321G.11 MUFFLERS. On or after July 1, 1972, except when operated or used in an authorized special event, a snowmobile shall not be operated without suitable and effective muffling devices which limit engine noise to not more than eighty-six decibels as measured on the "A" scale at a distance of fifty feet; and a snowmobile, manufactured after July 1, 1973, which is sold, offered for sale or used in this state, except in an authorized special event, shall have a muffler system that limits engine noise to not more than eighty-two decibels as measured on the "A" scale at a distance of fifty feet.

The commission may adopt rules and regulations with respect to the inspection of snowmobiles and the testing of snowmobile mufflers.

On or after July 1, 1972, a separate placard shall be affixed, permanently and conspicuously, to any new snowmobile sold or offered for sale in this state that does not meet the muffler requirements as stated above. The placard shall designate each snowmobile which does not meet the muffler requirements.

Sec. 9. Section three hundred twenty-one G point thirteen (321G.13), Code 1971, is amended by striking subsection six (6) and inserting in lieu thereof the following new subsections:

6. With any firearms in or on the snowmobile except shotguns completely enclosed in a case with

the firing chamber and magazine thereof unloaded and excepting any firearms in the possession of a peace officer. No firearm carried in or on a snowmobile shall be discharged within one hundred (100) feet of said snowmobile, except in the case of a peace officer.

7. On any public land, ice, or snow, in violation of official signs of the commission prohibiting such operation in the interest of safety for persons property, or the environment. Any officer appointed by the commission may post an official sign in an emergency for the protection of persons, property, or the environment.

8. In or on any park or fish and game areas except on designated snowmobile trails.

Sec. 10. Section three hundred twenty-one G point fourteen (321G.14), Code 1971, is amended as follows:

321G.14 PENALTY. Any person who shall violate any provision of this chapter or any regulation of the commission or commissioner of public safety shall be guilty of a misdemeanor and punished by a fine of not more than one hundred dollars, or by imprisonment for not more than [ninety] thirty days.

Chapter two hundred thirty-two (232) of the Code shall have no application in the prosecution of offenses which are committed in violation of this chapter, and which are punishable by a fine of not more than one hundred dollars or by imprisonment for not more than thirty days.

Sec. 11. Chapter three hundred twenty-one G (321G), Code 1971, is amended by adding the following new sections:

1. The commission may authorize the holding of organized special events as defined in this chapter within this state. The commission shall adopt and may amend rules and regulations relating to the conduct of special events held under commission permits and designating the equipment and facilities necessary for safe operation of snowmobiles or for the safety of operators, participants, and observers in the special events. At least thirty days before the scheduled date of a special event in this state, an application shall be filed with the commission for authorization to conduct the special event. The application shall set forth the date, time and location of the proposed special event and any other information as the commission may require. The special event shall not be conducted without written authorization of the commission. Copies of such rules and regulations shall be furnished by the commission to any person making an application therefor.

2. It shall be unlawful for any person, after having received a visual or audible signal from any

officer to come to a stop, to operate a snowmobile in willful or wanton disregard of such signal or interfere with or endanger the officer or any other person or vehicle, or increase his speed or attempt to flee or elude the officer.

3. The owner and operator of any snowmobile shall be liable for any injury or damage occasioned by the negligent operation of such snowmobile.

4. a. The owner of any rented snowmobile shall keep a record of the name and address of each person renting the snowmobile, its identification number, the departure date and time, and the expected time of return. The records shall be preserved for six months.

b. The owner of a snowmobile operated for hire shall not permit the use or operation of a rented snowmobile unless it shall have been provided with all equipment required by this chapter or rules of the commission or the commissioner of public safety, properly installed and in good working order.

5. No owner or operator of any snowmobile having an engine rating of three hundred cubic centimeters or more shall permit any person under twelve years of age to operate the snowmobile except when accompanied by a responsible person of at least eighteen years of age who is experienced in snowmobile operation.

6. a. A manufacturer, distributor, or dealer owning any snowmobile required to be registered under this chapter may operate the snowmobile for purposes of transporting, testing, demonstrating, or selling it without the snowmobile being registered, except that a special identification number issued to the owner as provided in this chapter shall be displayed on the snowmobile. The special identification number may not be used on any snowmobile offered for hire or for any work or service performed by a manufacturer, distributor, or dealer.

b. Any manufacturer, distributor, or dealer may, upon payment of a fee of fifteen dollars, make application to the commission, upon forms prescribed by the commission, for a special registration certificate containing a general identification number and for one or more duplicate special registration certificates. The applicant shall submit reasonable proof of his status as a bona fide manufacturer, distributor or dealer as may be required by the commission.

c. The commission, upon granting an application, shall issue to the applicant a special registration certificate containing the applicant's name and address, the general identification number assigned to the applicant, the word "manufacturer", "dealer" or "distributor", and such other information as the commission may prescribe. The manufacturer, distributor, or dealer shall have the assigned number printed upon

or attached to a removable sign or signs which may be temporarily but firmly mounted or attached to the snowmobile being used. The display shall meet the requirements of this chapter and the rules and regulations of the commission.

d. The commission shall also issue duplicate special registration certificates which shall have displayed thereon the general identification number assigned to the applicant.

Each duplicate registration certificate so issued shall contain a number or symbol identifying it from every other duplicate special registration certificate bearing the same general identification number. The fee for each additional duplicate special registration certificate shall be two dollars.

e. Each special registration certificate issued hereunder shall expire on December 31 of each year, and a new special registration certificate for the ensuing twelve months may be obtained upon application to the commission and payment of the fee provided by law.

f. Every manufacturer, distributor, or dealer shall keep a written record of the snowmobiles upon which special registration certificates are used, which record shall be open to inspection by any law-enforcement officer or any officer or employee of the commission.

g. If a manufacturer, distributor, or dealer has an established place of business in more than one location, he shall secure a separate and distinct special registration certificate and general identification number for each place of business.

7. The state, or its political subdivisions, owes no duty of care to keep the ditches or land contiguous to a highway or roadway under the control of the state or a political subdivision safe for entry or use by persons operating a snowmobile, or to give any warning of a dangerous condition, use, structure, or activity on such premises to persons entering for such purposes except in the case of willful or malicious failure to guard or warn against a dangerous condition, use, structure, or activity. This section shall not be construed to create a duty of care or ground of liability on behalf of the state or any of its political subdivisions for injury to persons or property in the operation of snowmobiles in a ditch or on land contiguous to a highway or roadway under the control of the state or a political subdivision. The state or its political subdivisions shall, in no event, be liable for the operation of a snowmobile in violation of the provisions of this chapter.

Speaker pro tempore Millen in the chair at 9:35 a.m.

Tieden of Clayton offered the following amendment filed by him, to the committee amendment, and moved its adoption:

Amend the committee on conservation and recreation amendment to House File 711, filed January 27, 1972, as follows:

1. By adding after the period in line 86 the following: "Such rules shall be in conformance with chapter seventeen A (17A) of the Code."
2. By striking from line 144 the word "county" and inserting in lieu thereof the word "country".
3. By adding after line 333 the following:
"Amend the title by striking the period in line 2 and inserting in lieu thereof the following: "and providing a penalty for the violation thereof."

The amendment to the amendment was adopted.

Holden of Scott offered the following amendment filed by him, to the committee amendment, and moved its adoption:

Amend the committee on conservation and recreation amendment to House File 711, filed January 27, 1972, by striking from lines 151 and 152 the words "except when operated or used in an authorized special event,".

A non-record roll call was requested.

The ayes were 58, nays 28.

The amendment to the amendment was adopted.

Kruse of O'Brien offered the following amendment filed by him and Wyckoff of Benton, to the committee amendment, and moved its adoption:

Amend the committee on conservation and recreation amendment to House File 711, filed January 27, 1972, by striking all of lines 172 through 182 and inserting in lieu thereof the following:

"Sec. 9. Section three hundred twenty-one G point thirteen (321G.13), Code 1971, is amended by adding thereto the following new subsections:".

A non-record roll call was requested.

The ayes were 28, nays 49.

The amendment to the amendment lost.

Uban of Black Hawk offered the following amendment filed by him, to the committee amendment, and moved its adoption:

Amend the conservation and recreation committee amendment to House File 711, dated January 28, 1972, by striking all of lines 251 through 256 inclusive.

The amendment to the amendment lost.

Wirtz of Palo Alto moved the adoption of the committee amendment as amended.

The committee amendment as amended was adopted.

By unanimous consent the following amendments were withdrawn:

The Rex of Hamilton amendment filed on January 24, 1972, and found on pages 153 and 154 of the House Journal.

The committee on conservation and recreation amendment filed on January 20, 1972, and found on pages 118 and 119 of the House Journal.

The Scott-Monroe amendment filed on January 24, 1972, and found on page 154 of the House Journal.

The Uban of Black Hawk amendment filed on January 21, 1972, and found on page 140 of the House Journal.

Holden of Scott rose on a point of order that the questions propounded by Norpel of Jackson were out of order.

The Speaker ruled the point well taken.

Norpel of Jackson moved to challenge the ruling of the Chair.

On the question "Shall the ruling of the Chair be challenged?"

The ayes were 11, nays 51.

The motion lost and the ruling of the Chair was sustained.

Wirtz of Palo Alto moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 711)

The ayes were, 83:

Anania	Egenes	Husak	Menefee
Andersen	Ellsworth	Kehe	Middleswart
Bergman	Ewell	Kelly	Miller
Blouin	Fischer, H. O.	Kinley	Moffitt
Camp	Fisher, C. R.	Knoke	Mollett
Christensen	Franklin	Kreamer	Nielsen
Clark	Freeman	Kruse	Norpel
Cochran	Gluba	Larson	Nystrom
Curtis	Grassley	Lawson	Patton
Den Herder	Hamilton	Lipsky	Pellett
Doyle	Hansen	Logemann	Pelton
Drake	Harbor	McCormick	Priebe
Dunton	Hill	McElroy	Radi
Edelen	Holden	Mendenhall	Rex

Rodgers	Scott	Stokes	Varley
Roorda	Shaw	Strand	Wells
Sargisson	Siglin	Stromer	Willits
Schmeiser	Skinner	Strothman	Winkelman
Schroeder	Small	Tieden	Wirtz
Schwartz	Sorg	Trowbridge	Mr. Speaker
Schwieger	Stanley	Uban	(Millen)

The nays were, 9:

Bray	Mayberry	Taylor	Welden
Campbell	Monroe	Waugh	Wyckoff
Dougherty			

Absent or not voting, 8:

Alt	Goode	Johnston	Knoblauch
Bennett	Jesse	Kennedy	Pierson

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

Speaker Harbor in the chair at 10:34 a.m.

House File 524, a bill for an act relating to the definition and regulation of optometrists, establishing the state board of optometry, and providing penalties, with report of committee recommending amendment and passage, was taken up for consideration.

Kreamer of Polk offered the following amendment filed by Kreamer, et al.:

Amend House File 524 as follows:

1. Page 2, by striking lines 3 through 11, inclusive, and inserting in lieu thereof the following:

"1. The following classes of persons shall be deemed to be engaged in the practice of optometry:

a. Persons employing any means other than the use of drugs, medicine or surgery for the measurement of the visual power and visual efficiency of the human eye, the prescribing and adapting of lenses, prisms and contact lenses, and the using or employing of visual training or ocular exercise, for the aid, relief or the correction of vision.

b. Persons who allow the public to use any mechanical device for such purpose.

c. Persons who publicly profess to be optometrists and to assume the duties incident to said profession."

2. Page 2, by striking lines 17 through 20, inclusive, and inserting in lieu thereof the following:

"Sec. 2. EXEMPTIONS. This Act shall not be construed to include the following classes:

1. Merchants or dealers who sell glasses as merchandise in an established place of business and who

do not profess to be optometrists or practice optometry as herein defined.

2. Licensed physicians and surgeons."

3. Page 2, line 25, by striking the number "1971" and inserting in lieu thereof the number "1972".

4. Page 8, by striking lines 29 through 35, inclusive, and inserting in lieu thereof the following:

"Sec. 19. OPHTHALMIC LENSES—SALE. It shall be unlawful for any person to dispense and adapt contact lenses or any other ophthalmic lens or lenses, without first having obtained a written prescription or order therefor from a duly licensed practitioner referred to in this Act, or other practitioner authorized to write said prescription or orders. Each such practitioner shall furnish his patient without charge a copy of his patient's prescription. For the purpose of this section, an ophthalmic lens shall mean one which has been ground to fill the requirements of a particular prescription."

5. Page 10, by striking lines 8 through 21, inclusive.

6. By renumbering sections and subsections to conform to this amendment.

Division of the amendment was requested.

Kreamer of Polk moved the adoption of lines 1 through 12 of his amendment.

Lines 1 through 12 of the amendment were adopted.

Kreamer of Polk moved the adoption of lines 13 and 14 of his amendment.

A non-record roll call was requested.

The ayes were 54, nays 19.

Lines 13 and 14 of the amendment were adopted.

Kreamer of Polk moved the adoption of lines 15 through 25 and lines 28 through 45 of his amendment.

Lines 15 through 25 and lines 28 through 45 of the amendment were adopted.

Kreamer of Polk asked and received unanimous consent to withdraw lines 26 and 27 of his amendment.

Varley of Adair offered the following amendment filed by him and moved its adoption:

Amend House File 524, page 2, by striking lines 21 through 32 and inserting in lieu thereof the following:

"Sec. 3. STATE BOARD OF OPTOMETRY. There is established a state board of optometry consisting of five persons appointed by the governor for staggered terms of five years. Three members of the board shall be optometrists and two members shall represent the public. The Iowa optometric association may submit a list of recommendations from which the governor may select board members.

For the initial board, the members of the board of optometry examiners shall continue in office until their terms expire. Upon the effective date of this Act, the governor shall appoint three members to the board and shall designate one board member to serve a five-year term, one board member to serve a four-year term, and one board member to serve a three-year term."

The amendment was adopted.

Hill of Polk offered the following amendment filed by him:

Amend House File 524 as follows:

1. Page 2, by striking line 23 and inserting in lieu thereof the following:

" , at least two of whom shall not be members of the Iowa optometric association, appointed by the governor for staggered terms of five years."

2. Page 3, lines 11, 12, and 13, by striking the sentence "However, the per diem of legal counsel employed by the board shall be approved by the executive council."

3. Page 3, line 22, by inserting after the period the following:

"In addition to the duties provided in sections one hundred forty-seven point sixty-one (147.61) and one hundred forty-seven point ninety-two (147.92) of the Code, the attorney general shall represent the board in any other proceeding required in administering this Act."

4. Page 4, line 8, by striking the words "The board and any" and inserting in lieu thereof the word "Any".

5. Page 4, by striking lines 28 and 29.

6. Page 4, line 30, by striking the letter "i" and inserting in lieu thereof the letter "h".

7. Page 5, line 27, by inserting before the period the words "not exceeding one hundred dollars".

8. Page 6, line 6, by inserting after the period the following:

"Programs and clinics may be held within or without the state of Iowa and enrollment in such programs and clinics shall not be contingent upon membership in the Iowa optometric association."

9. Page 6, by striking lines 25, 26, and 27, and inserting in lieu thereof the following:

"dollars. A license which is revoked or suspended for failure to pay the fee required by this section

shall be reissued or reinstated upon payment in full of the additional fee and any other license or renewal fees required by this Act."

10. Page 7, by striking lines 10 through 18, inclusive.

11. Page 10, line 23, by inserting the word "and" before the word "seven" and by striking the words "and eight (8),".

12. Page 11, by striking lines 8 through 14, inclusive.

13. By renumbering sections as required by this amendment.

Division of the amendment was requested.

Hill of Polk asked and received unanimous consent to withdraw amendment 1, lines 2 through 6 of his amendment.

Hill of Polk moved the adoption of amendments 5 and 6, lines 21 through 23 of his amendment.

Roll call was requested by Freeman of Buena Vista and Kelly of Woodbury.

On the question "Shall amendments 5 and 6 be adopted?"

The ayes were, 53:

Alt	Egenes	Miller	Scott
Anania	Ellsworth	Moffitt	Shaw
Andersen	Franklin	Norpel	Skinner
Bennett	Grassley	Patton	Sorg
Bergman	Hill	Pellett	Stanley
Blouin	Husak	Pelton	Stromer
Bray	Kelly	Priebe	Trowbridge
Camp	Kinley	Radl	Uban
Campbell	Knoke	Rex	Varley
Clark	Larson	Roorda	Waugh
Cochran	Lipsky	Sargisson	Wells
Dougherty	Mayberry	Schroeder	Willits
Doyle	McCormick	Schwieger	Wyckoff
Dunton			

The nays were, 30:

Christensen	Gluba	Pierson	Strothman
Curtis	Hamilton	Rodgers	Taylor
Den Herder	Hansen	Schmeiser	Tieden
Drake	Kehe	Schwartz	Welden
Edelen	Logemann	Siglin	Winkelman
Fischer, H. O.	McElroy	Stokes	Wirtz
Fisher, C. R.	Menefee	Strand	Mr. Speaker
Freeman	Nielsen		

Absent or not voting, 17:

Ewell	Kennedy	Lawson	Mollett
Goode	Knoblauch	Mendenhall	Monroe
Holden	Kreamer	Middleswart	Nystrom
Jesse	Kruse	Millen	Small
Johnston			

Amendments 5 and 6 of the amendment were adopted.

Hill of Polk moved the adoption of amendments 2, 3 and 4, lines 7 through 20 of his amendment.

A non-record roll call was requested.

The ayes were 66, nays 17.

Amendments 2, 3 and 4 were adopted.

Hill of Polk moved the adoption of amendments 7 and 8, lines 24 through 31 of his amendment.

Amendments 7 and 8 were adopted.

Hill of Polk moved the adoption of amendment 9, lines 32 through 38 of his amendment.

Amendment 9 was adopted.

Hill of Polk moved the adoption of amendment 10, lines 39 and 40 of his amendment.

A non-record roll call was requested.

The ayes were 44, nays 41.

Amendment 10 was adopted.

Hill of Polk moved the adoption of amendments 11, 12 and 13, lines 41 through 47 of his amendment.

Amendments 11, 12 and 13 were adopted.

House File 524 pending at recess.

The House was recessed until 1:00 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Harbor in the chair.

The House resumed consideration of House File 524.

Hill of Polk asked and received unanimous consent to withdraw the Hill-Holden amendment filed on February 11, 1972, and found on page 427 of the House Journal.

Schwieger of Black Hawk offered the following amendment filed by the committee on social services:

Amend House File 524, as follows:

1. Page 2, line 35, by striking the words "one hundred" and inserting in lieu thereof the word "forty".

2. Page 6, by striking lines 13 through 17, and inserting in lieu thereof the following:

"Sec. 12. RENEWAL FEE. The amount of the license renewal fee to be fixed by the board shall not be less than ten dollars or more than fifty dollars and shall be paid by each optometrist on or before May thirtieth of each year, except the year in which an optometrist is originally licensed."

3. Page 10, line 14, by striking the words "one hundred" and inserting in lieu thereof the word "forty".

Cochran of Webster offered the following amendment to the committee amendment from the floor and moved its adoption:

Amend the committee on social services amendment to House File 524, filed February 2, 1972, by striking from line 4 the word "forty" and inserting in lieu thereof the word "thirty".

The amendment to the amendment was adopted.

Schwieger of Black Hawk moved the adoption of amendments 1 and 2, lines 1 through 12 of the committee amendment as amended.

Amendments 1 and 2 as amended were adopted.

Schwieger of Black Hawk asked and received unanimous consent to withdraw amendment 3, lines 13, 14 and 15 of the committee amendment.

Pelton of Clinton offered the following amendment filed by him:

Amend House File 524 as follows:

1. Page 8, by striking lines 17 through 21.
2. Page 8, by striking lines 27 and 28.

Division of the amendment was requested.

Pelton of Clinton moved the adoption of amendment 1, line 2 of his amendment.

Roll call was requested by Uban of Black Hawk and Miller of Marshall.

On the question "Shall amendment 1 be adopted?"

The ayes were, 37:

Anania	Fisher, C. R.	Larson	Nielsen
Andersen	Grassley	Lipsky	Pellett
Bray	Hill	Mayberry	Pelton
Campbell	Holden	Middleswart	Pierson
Clark	Kehe	Millen	Radl
Egenes	Kelly	Miller	Rex

Roorda	Shaw	Trowbridge	Welden
Sargisson	Small	Uban	Willits
Schroeder	Strothman	Varley	Wyckoff
Schwartz			

The nays were, 46:

Alt	Ellsworth	Menefee	Scott
Bennett	Ewell	Moffitt	Siglin
Bergman	Freeman	Mollett	Sorg
Blouin	Gluba	Monroe	Stanley
Camp	Hansen	Norpel	Stokes
Cochran	Husak	Nystrom	Strand
Curtis	Kinley	Patton	Tieden
Den Herder	Knoke	Priebe	Waugh
Dougherty	Kreamer	Rodgers	Winkelman
Doyle	Kruse	Schmeiser	Wirtz
Dunton	Logemann	Schwieger	Mr. Speaker
Edelen	McCormick		

Absent or not voting, 17:

Christensen	Hamilton	Knoblauch	Skinner
Drake	Jesse	Lawson	Stromer
Fischer, H. O.	Johnston	McElroy	Taylor
Franklin	Kennedy	Mendenhall	Wells
Goode			

Amendment 1 of the amendment lost.

Pelton of Clinton moved the adoption of amendment 2, line 3 of his amendment.

Amendment 2 was adopted.

Freeman of Buena Vista moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 524)

The ayes were, 80:

Alt	Fischer, H. O.	Menefee	Shaw
Anania	Fisher, C. R.	Millen	Scott
Andersen	Freeman	Miller	Siglin
Bennett	Gluba	Moffitt	Small
Bergman	Grassley	Mollett	Sorg
Blouin	Hansen	Monroe	Stanley
Camp	Holden	Nielsen	Stokes
Campbell	Husak	Norpel	Strand
Christensen	Kehe	Nystrom	Stromer
Cochran	Kelly	Patton	Strothman
Curtis	Kinley	Pellett	Taylor
Den Herder	Knoke	Pierson	Tieden
Dougherty	Kreamer	Priebe	Varley
Doyle	Kruse	Rex	Waugh
Drake	Lipsky	Rodgers	Wells
Dunton	Logemann	Roorda	Willits
Edelen	Mayberry	Sargisson	Winkelman
Egenes	McCormick	Schmeiser	Wirtz
Ellsworth	McElroy	Schwartz	Wyckoff
Ewell	Mendenhall	Schwieger	Mr. Speaker

The nays were, 9:

Bray	Larson	Radl	Trowbridge
Clark	Pelton	Schroeder	Welden
Hill			

Absent or not voting, 11:

Franklin	Jesse	Knoblauch	Skinner
Goode	Johnston	Lawson	Uban
Hamilton	Kennedy	Middleswart	

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

Christensen of Union moved that the vote by which House File 524 passed the House be reconsidered and the motion to reconsider be tabled.

A non-record roll call was requested.

The ayes were 52, nays 33.

The motion prevailed.

HOUSE FILE 1044 RECONSIDERED AND PENDING

Kruse of O'Brien called up for consideration the Curtis motion to reconsider, and moved to reconsider the vote by which **House File 1044**, a bill for an act authorizing counties to acquire private property by condemnation for sanitary landfill purposes, failed to pass the House on January 21, 1972.

A non-record roll call was requested.

The ayes were 64, nays 8.

The motion prevailed.

Kruse of O'Brien moved that the vote by which House File 1044 was placed on its last reading be reconsidered.

The motion prevailed.

Rodgers of Dallas offered the following amendment filed by him and moved its adoption:

Amend House File 1044 as follows:

1. Page 1, line 14, by inserting after the word "lands" the words "*within the county*".
2. Page 1, line 15, by inserting after the word "landfill," the words "*except that such county may condemn land for sanitary landfill purposes in another county if such condemnation is approved by the board of supervisors of the other county,*".

The amendment was adopted.

(House File 1044 pending at adjournment.)

REPORT OF COMMITTEE ON
NONCONTROVERSIAL BILLS

MR. SPEAKER: Your committee on noncontroversial bills begs leave to report that it had the following bills under consideration and recommends that they be placed on the noncontroversial calendar.

- H. F. 1074 Legalize proceedings of the Board of Directors of the United Community School District. By Nystrom. (Companion Bill—S. F. 1055)
- H. F. 1199 COMMITTEE BILL—To clarify legal settlement of minor children residing in institutions. By committee on social services; Holden, chairman.
- H. F. 1203 COMMITTEE BILL—Relating to erroneous and obsolete references in the Iowa Code. By committee on judiciary; Pelton, chairman.
- H. F. 1200 COMMITTEE BILL—Relating to postmortem examination. By committee on social services; Holden, chairman.
- H. F. 1039 Relating to the issuance of new birth certificates for persons born outside the United States. By Clark. (Companion Bill—S. F. 354)
- H. F. 1042 Relating to time served on parole. By Kelly, McCormick, et al. (Companion Bill—S. F. 1065)
- H. F. 1075 To legalize proceedings of the town council of the town of Stuart. By Varley.
- S. F. 418 Relating to benefits for veterans in state employment. By Gaudineer.
- S. F. 1003 Relating to support payments as the result of a dissolution of marriage. By committee on county government. (Companion Bill—H. F. 1013)
- S. F. 1005 Relating to the military records of veterans. By committee on county government.
- S. F. 1070 Relating to approval, coordination and supervision over electronic data processing for educational purposes. By committee on schools.
- S. F. 1014 Relating to money advances by county boards of supervisors to county conservation boards. By Robinson, Riley, et al.

SORG of Linn, Chairman
Committee on Noncontroversial Bills

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Miller of Marshall, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate File 1023.

ELIZABETH R. MILLER
Chairman, House Committee
JOHN C. RHODES
Chairman, Senate Committee

Report adopted.

BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House the following bill: Senate File 1023.

REPORTS OF COMMITTEES

Christensen of Union, from the committee on law enforcement, submitted the following report:

MR. SPEAKER: Your committee on law enforcement, to whom was referred **House File 1066**, a bill for an act relating to a pamphlet on the use of alcoholic liquor and beer, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same **do pass**.

CHRISTENSEN of Union, Chairman

Rex of Hamilton, from the committee on county government, submitted the following report:

MR. SPEAKER: Your committee on county government, to whom was referred **House File 56**, a bill for an act relating to group insurance for elected county officials, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the **House reconsider and withdraw the two amendments filed by Ellsworth of Dubuque on January 27, 1971, and adopted on January 29, 1971, and the bill do pass**.

REX of Hamilton, Chairman

Kehe of Bremer, from the committee on environmental preservation, submitted the following report:

MR. SPEAKER: Your committee on environmental preservation, to whom was referred **House File 1136**, a bill for an act relating to the collection, purchase and sale of recyclable materials, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same **do pass**.

KEHE of Bremer, Chairman

Strothman of Henry, from the committee on agriculture, submitted the following report:

MR. SPEAKER: Your committee on agriculture, to whom was referred **House File 400**, a bill for an act relating to licensing of purchasers and transporters of unprocessed grain, and providing penalties, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same **be amended as follows, and when so amended the bill do pass:**

Amend House File 400 as follows:

1. Page 2, lines 10 and 11, by striking the words "a warehouseman licensed pursuant to this chapter or".

2. Page 3, line 6, by striking the word "five" and inserting in lieu thereof the word "fifteen".

3. Page 3, line 13, by adding after the word "consumption" the words "or to a deferred payment agreement under section five hundred forty-three point seventeen (543.17) of the Code".

STROTHMAN of Henry, Chairman

AMENDMENTS FILED

1 Amend House File 689 as follows:

2 1. Page 2, line 2, after the word "departments"
3 insert the words "of cities or towns with a population
4 of nine thousand persons or less".

5 2. Page 2, after line 5 insert the following:
6 As used in this Act "city" and "town" means any
7 city or town with a population of nine thousand
8 persons or less according to the most recent federal
9 decennial census."

WELLS of Linn

1 Amend the Senate amendment to House File 734 as
2 follows:

3 1. By striking lines 26 through 30 and inserting in
4 lieu thereof the following: "4. Primary highway
5 means the federal aid primary system."
6 2. Line 82, by striking the words "or without".

HOLDEN of Scott

1 Amend Senate amendment to House File 734 as follows:

2 1. Page 18, line 265, by striking the word
3 "may" and inserting in lieu thereof the word "shall".
4 2. Page 18, line 268, by inserting following
5 the word "system" the words "and freeway primary
6 highways".

7 3. Pages 21 and 22, by striking lines 456 through
8 485 inclusive and inserting in lieu thereof
9 the following:

10 Sec. 17. Within thirty days from the
11 effective date of this Act, the owner of every sign
12 regulated by the provisions of this Act, except
13 signs excepted by subsections one (1), two (2),
14 four (4) and five (5) of Section 11 of this Act,
15 shall be required to make application to the com-
16 mission for a permit.

17 The application for a permit shall be on a form
18 provided by the commission and shall contain the
19 name and address of the owner of the sign and the
20 name and address of the owner of the real property
21 on which it is located; the date of its erection;
22 a description of its location; its dimensions; and
23 such other information required by the commission,
24 together with a permit fee as provided in this
25 section.

26 After the effective date of this Act, no new
 27 sign for which an application for a permit is re-
 28 quired may be erected without first obtaining a
 29 permit from the commission, except in the case of
 30 signs lawfully in existence in areas adjacent to any
 31 highway made an interstate, freeway primary, or
 32 primary highway after the effective date of this Act.
 33 The owner shall be required to make application for
 34 a permit as provided for in this section within
 35 thirty days after the date the said highway
 36 acquired said designation.

37 Upon receipt of an application containing all the
 38 required information in due form and properly executed
 39 together with the fee required, the commission shall
 40 issue a permit to be affixed to the sign if the sign
 41 will not violate any provision of Sections 10
 42 through 22 inclusive, of this Act, or
 43 any rule or regulation promulgated by the commission,
 44 provided that in the case of signs to be acquired
 45 pursuant to Section 14 of this Act a pro-
 46 visional permit shall be issued.

47 The fee for both types of permits shall be five
 48 dollars for the initial fee and two dollars and fifty
 49 cents for each annual renewal. The fees collected for
 50 the above permits shall be credited to a special
 51 account entitled the "Highway Beautification Account"
 52 and all salaries and expenses incurred in adminis-
 53 tering this Act shall be paid from this fund or
 54 from specific appropriations for this purpose, except
 55 that surveillance of, and removal of, signs performed
 56 by regular maintenance personnel are not to be charged
 57 against the account.

58 4. Page 22, by striking all of line 490 after the
 59 word "Act" and all of line 491 through the word "Code,".

60 5. Page 23, by striking all of lines 521 through
 61 527 inclusive.

WELDEN of Hardin
 UBAN of Black Hawk
 SCHROEDER of Pottawattamie
 SCHWIEGER of Black Hawk

1 Amend House File 1044, line 15, by inserting after
 2 the word "and" the words "*except that such county may*
 3 *condemn land for sanitary landfill purposes within its*
 4 *own county boundaries only if the site is approved by*
 5 *the county zoning commission, if there is one, or by*
 6 *the county or district board of health, if there is*
 7 *no county zoning commission; and"*.

KRUSE of O'Brien
 SCHMEISER of Des Moines

1 Amend House File 1089 as follows:
 2 1. Page 3, line 31, by striking the word
 3 "member".

ALT of Polk

1 Amend House File 1197, page 9, line 5, by striking
2 the word and figure "six (6),".

FISCHER of Grundy
HUSAK of Tama
ELLSWORTH of Dubuque
ANANIA of Polk

1 Amend House File 1197 as follows:

2 1. Page 3, by striking line 35.

3 2. Page 4, by striking lines 1 through 4,
4 inclusive.

5 3. Page 4, by striking from line 5 the words
6 "*property shall be subject to taxation.*" and inserting
7 in lieu thereof the words "*The exemption granted under*
8 *the provisions of this subsection to the property of*
9 *religious institutions and societies used as parson-*
10 *ages, manses, rectories, and other single-family*
11 *residences used by a pastor, minister, priest, or*
12 *rabbi, shall be extended only to the first twenty*
13 *thousand dollars of actual value of one parsonage,*
14 *manse, rectory, or other such residence for each*
15 *house of worship and the actual value of any such*
16 *residence in excess of twenty thousand dollars shall*
17 *be subject to taxation in the same manner as other*
18 *real property.*"

NIELSEN of Shelby
WELDEN of Hardin

1 Amend House File 1197 as follows:

2 1. Page 3, by striking line 35.

3 2. Page 4, by striking lines 1 through 4,
4 inclusive.

5 3. Page 4, by striking from line 5 the words
6 "*property shall be subject to taxation.*" and insert-
7 in lieu thereof the words "*The exemption granted*
8 *under the provisions of this subsection to the*
9 *property of religious institutions and societies*
10 *used as parsonages, manses, rectories, and other*
11 *single-family residences used by a pastor, minister,*
12 *priest, or rabbi, shall be extended only to the first*
13 *twenty-five thousand dollars of actual value of each*
14 *parsonage, manse, rectory, or other such residence*
15 *and the actual value of any such residence in excess*
16 *of twenty-five thousand dollars shall be subject to*
17 *taxation in the same manner as other real property.*"

KINLEY of Polk

1 Amend House File 1197, page 2, by striking from
2 lines 5 and 6 the following: "*including state uni-*
3 *versity, university of science and technology, and*
4 *school lands*".

DEN HERDER of Sioux

1 Amend House File 1197, page 8, by inserting after
2 the period in line 22, the words "However, if the

3 single family dwelling is constructed on property
 4 which would otherwise be exempt under the provisions
 5 of this section, and the lot or parcel on which the
 6 dwelling is constructed is not readily identifiable,
 7 such lot or parcel shall be construed not to exceed
 8 one-half acre in size. This subsection does not apply
 9 to property held under the provisions of subsection
 10 eleven (11) of this section."

ROORDA of Jasper

- 1 Amend House File 1197 as follows:
 2 1. Page 3, by striking line 35.
 3 2. Page 4, by striking lines 1 through 10, in-
 4 clusive.

McCORMICK of Delaware
 KINLEY of Polk
 BLOUIN of Dubuque
 EWELL of Black Hawk
 TAYLOR of Dubuque

- 1 Amend House File 1197, page 4, by striking on page 7,
 2 line 7, the words and figures "or 501 (C) (4)" and
 3 inserting in lieu thereof the words and figures
 4 "501 (C) (4) or 501 (C) (8)".

ROORDA of Jasper

- 1 Amend House File 1197, page 4, by striking from line 18 the
 2 words "*except that if the interest in property*" and
 3 by striking lines 19 through 27, and inserting in lieu
 4 thereof the words "*but only if the lands are used*
 5 *for airport administration buildings or aeronautical*
 6 *facilities.*"

ANDERSEN of Woodbury

- 1 Amend House File 1197 as follows:
 2 1. Page 3, by striking line 35.
 3 2. Page 4, by striking lines 1 through 10, in-
 4 clusive.
 5 3. Page 8, by striking lines 20, 21, and 22 and
 6 renumbering the following subsections.

ELLSWORTH of Dubuque
 DUNTON of Keokuk

- 1 Amend House File 1197, page 9, by insetrting after
 2 line 6, the following new section:
 3 "The provisions of this Act shall become effective
 4 January 1, 1973."

ROORDA of Jasper

- 1 Amend House Joint Resolution 1002 as follows:
 2 1. Page 1, line 12, by striking the word
 3 "eighteen" and inserting the word "twenty".
 4 2. Page 1, line 22, by striking the word
 5 "twenty-one" and inserting the word "twenty-two".

HANSEN of Black Hawk

- 1 Amend the Johnston of Johnson amendment to Senate
 2 File 202, filed March 29, 1971, line 6, by striking
 3 1. Page 24, lines 23 and 24, by striking the words
 4 "municipal judges,".
 5 2. Page 26, by striking lines 12 through 25, inclu-
 6 clusive.
 7 3. Page 27, by striking lines 1 through 3, inclu-

BERGMAN of Osceola

- 1 Amend Senate File 428, as amended, passed and
 2 reprinted by the Senate as follows:
 3 the word "wife" and inserting in lieu thereof the
 4 word "spouse".
 8 sive.
 9 4. Page 61, line 33, by striking the words
 10 "municipal judge,".
 11 5. Page 63, lines 7 and 8, by striking the words
 12 "or municipal judge".

PELTON of Clinton
 KNOKE of Pottawattamie

- 1 Amend the committee on judiciary amendment to
 2 Senate File 428 as amended, passed, reprinted and
 3 filed February 8, 1972 as follows:
 4 By striking from line 552 the words "one dollar"
 5 and by inserting in lieu thereof the words "two"
 6 dollars".

KNOKE of Pottawattamie

- 1 Amend Senate File 1008, as amended, passed, and
 2 reprinted by the Senate, page 4, line 19, by inserting
 3 after the word "corporation," the words "or within the
 4 unincorporated area of the county in which the state
 5 bank is located or in a county contiguous to or corner-
 6 ing upon the county in which the principal place of
 7 business of the state bank is located,".

HOLDEN of Scott

On motion by Varley of Adair, the House adjourned until
 9:00 a.m., Thursday, February 17, 1972.

JOURNAL OF THE HOUSE

Thirty-ninth Calendar Day—Twenty-ninth Session Day

HALL OF THE HOUSE OF REPRESENTATIVES
DES MOINES, IOWA, THURSDAY, FEBRUARY 17, 1972

The House met pursuant to adjournment, Speaker Harbor in the chair.

Prayer was offered by the Reverend Peter Kempfer, pastor of the First Baptist Church, Harlan, Iowa.

The Journal of Wednesday, February 16, 1972, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. John Hennessey, Manilla, Iowa.

PRESENTATION OF VISITORS

Varley of Adair presented to the House the Honorable Ray C. Cunningham, former member of the House during the Fifty-seventh, Fifty-eighth, Fifty-ninth, Sixtieth, Sixtieth Extra, Sixty-second, Sixty-third, First and Second Sessions, General Assemblies representing Story County.

Varley of Adair presented to the House the Honorable Earl M. Yoder, former member of the House during the Sixty-second General Assembly representing Johnson County.

Strothman of Henry presented to the House Mr. and Mrs. Charles Decker representing the Midwest Old Settlers and Threshers Annual Reunion in Mount Pleasant, Iowa.

Willits of Polk presented to the House Nicholas Johnson, member of the Federal Communications Commission.

The Speaker announced that the following visitors were present in the House chamber:

Fifty-six fourth grade students from Indianola-Whittier School, accompanied by Mrs. Ryan and Mrs. Conley. By Middle-swart of Warren.

Thirty-two government class students from West Burlington High School, West Burlington, Iowa, accompanied by Donald

Hopkins and Richard Whittaker. By Monroe of Des Moines and Schmeiser of Des Moines.

Seventeen Boy Scouts from Asbury Methodist Church, Cedar Rapids, Iowa, accompanied by Marvin Zitek. By Wells of Linn.

Twenty-two senior students from Hedrick High School, Hedrick, Iowa, accompanied by Mr. Haines. By Pierson of Mahaska.

Twenty senior class students from Walnut High School, Walnut, Iowa, accompanied by Frank Johnson. By Schroeder of Pottawattamie.

Forty government class students from Wayne Community School, accompanied by Mrs. Sayers and Mr. Pyner. By Moffitt of Appanoose.

Thirty-one students from Clear Lake High School, Clear Lake, Iowa, accompanied by Richard Abild. By Scott of Cerro Gordo and Logemann of Worth.

Logemann of Worth presented to the House Christine Bruns, a foreign exchange student from France currently living in Clear Lake and attending Clear Lake High School.

PETITIONS FILED

The following petitions were received and placed on file:

By Wells of Linn from three hundred fifty residents of Linn County opposing the motorcycle inspection guidelines as proposed by the Commissioner of Public Safety.

By Trowbridge of Floyd from nine hundred forty-four residents of the Floyd, Mitchell, Cerro Gordo, Polk, Carroll, Crawford, Black Hawk, Scott, Chickasaw, Butler, Grundy and Marshall Counties favoring House File 538, relating to operators' and chauffeurs' licenses.

By Holden of Scott from twenty residents of Scott County opposing Senate File 356, relating to permits to carry concealed weapons.

By Andersen of Woodbury from forty-nine residents of Woodbury County opposing House File 1197, relating to taxing churches and related properties.

By Hansen of Black Hawk from ten residents of West Union, Pellett of Cass from one thousand five hundred seventeen residents from fifty-nine southwest Iowa communities and resolutions from thirty-seven residents of southwest Iowa communi-

ties, all favoring House File 1146, relating to educational television.

ADOPTION OF COMMITTEE REPORTS

The Chief Clerk announced the adoption of reports of committees on House Files 56, 400, 1066 and 1136, under Rule 35.

INTRODUCTION OF BILLS

House File 1222, by Winkelman, a bill for an act relating to the definition of industrial projects which a city or town may support.

Read first time and referred to committee on **cities and towns**.

House File 1223, by Winkelman, a bill for an act relating to the issuance of environmental impact statements.

Read first time and referred to committee on **environmental preservation**.

House File 1224, by Winkelman and Rex, a bill for an act relating to liens imposed on real estate owned by persons receiving care at county expense in certain institutions, or owned by persons responsible for the support of persons receiving such care.

Read first time and referred to committee on **county government**.

House File 1225, by Priebe, Rex, Curtis, Schroeder, Miller, Scott, Norpel, Wells, Christensen, Bergman, Nielsen, Middleswart and Stanley, a bill for an act relating to standards for diesel fuel.

Read first time and referred to committee on **transportation**.

House File 1226, by Trowbridge, a bill for an act relating to the sale of unused right of way property acquired by the highway commission for the improvement of highways.

Read first time and referred to committee on **transportation**.

House File 1227, by Shaw, a bill for an act relating to posting of signs near intersections where passing of motor vehicles is prohibited.

Read first time and referred to committee on **transportation**.

House File 1228, by Middleswart, Doyle and Holden, a bill for an act providing for extending the benefits of the federal old-age

and survivors' insurance system to members of the general assembly.

Read first time and referred to committee on state government.

House File 1229, by Small, Gluba, Kelly, Doyle, Schwieger, McCormick and Camp, a bill for an act to establish the office of penal and correctional complaints, to define powers and duties, and to provide penalties.

Read first time and referred to committee on state government.

INTRODUCTION OF JOINT RESOLUTIONS

House Joint Resolution 1007, by Shaw, Hill, Campbell, Knoke, Pelton, Pierson, Moffitt, Radl, Waugh, Stanley, Kelly, Kehe, Camp, Schroeder, Lawson, Nystrom, Taylor, Ellsworth, Hansen, Schwieger and Drake, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the apportionment of the General Assembly.

Read first time and referred to committee on constitutional amendments and reapportionment.

House Joint Resolution 1008, by Ewell and Gluba, a joint resolution urging the Congress of the United States to propose an amendment to the Constitution of the United States to lower the age qualifications for the offices of President and Vice President of the United States, United States Senator and United States Representative.

Read first time and referred to committee on constitutional amendments and reapportionment.

SENATE MESSAGE CONSIDERED

Senate File 1090, a bill for an act relating to commitment of alcohol and drug addicts.

Read first time and referred to committee on county government.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File 566, a bill for an act relating to private employment agency fees.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File 1066, a bill for an act relating to penalties for committing certain crimes with firearms.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File 1088, a bill for an act relating to classification of claims against estates.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File 1091, a bill for an act appropriating to the department of public instruction.

Also: That the Senate has adopted the conference committee report and the amendments contained therein and passed Senate File 392, a bill for an Act relating to the eradication of hog cholera and the control and eradication of the swine diseases.

CARROLL A. LANE, Secretary of the Senate

HOUSE CONCURRENT RESOLUTION 113

By Blouin and Cochran

Whereas, it is the policy of the State of Iowa that no person acting as a representative of the state shall publicly endorse the goods and services of a single private enterprise; and

Whereas, the state comptroller, acting as a representative of the State of Iowa, did publicly endorse the goods and services of a single private enterprise, *Now, Therefore*,

Be It Resolved by the House, the Senate Concurring, That the state comptroller shall issue a statement to the press and to the publications in which the endorsement was printed saying that the State of Iowa in no way endorses the goods or services of any single private enterprise and that the endorsement of the International Business Machines Corporation goods and services was given as the endorsement of a private person rather than as a representative of the State of Iowa.

Laid over under Rule 25.

CONSIDERATION OF BILLS

NONCONTROVERSIAL CALENDAR

House File 1074, a bill for an act to legalize and validate proceedings of the Board of Directors of the United Community School District in the Counties of Boone and Story, State of Iowa, authorizing and providing for the sale and issuance of School Building Bonds and for the levy of taxes for the payment of said bonds and declaring the bonds issued pursuant to said proceed-

ings to be enforceable obligations of said School District, with report of committee recommending passage, was taken up for consideration.

Nystrom of Boone moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1074)

The ayes were, 87:

Alt	Fisher, C. R.	Millen	Siglin
Anania	Freeman	Miller	Small
Andersen	Gluba	Moffitt	Sorg
Bennett	Grassley	Mollett	Stanley
Bergman	Hamilton	Nielsen	Stokes
Blouin	Hill	Norpel	Strand
Bray	Holden	Nystrom	Stromer
Camp	Husak	Patton	Strothman
Campbell	Jesse	Pellett	Taylor
Christensen	Kehe	Pelton	Tieden
Clark	Kennedy	Pierson	Trowbridge
Cochran	Kinley	Priebe	Uban
Curtis	Knoke	Radl	Varley
Dougherty	Kreamer	Rex	Waugh
Den Herder	Kruse	Rodgers	Welden
Doyle	Larson	Roorda	Wells
Drake	Logemann	Sargisson	Willits
Dunton	Mayberry	Schmeiser	Winkelman
Edelen	McCormick	Schroeder	Wirtz
Egenes	Mendenhall	Schwartz	Wyckoff
Ellsworth	Menefee	Schwieger	Mr. Speaker
Fischer, H. O.	Middleswart	Scott	

The nays were, none.

Absent or not voting, 13:

Ewell	Johnston	Lawson	Monroe
Franklin	Kelly	Lipsky	Shaw
Goode	Knoblauch	McElroy	Skinner
Hansen			

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

HOUSE INSISTS

(Senate File 85)

Kehe of Bremer called up for consideration **Senate File 85**, a bill for an act creating a department of environmental quality, specifying its powers, duties and functions, and providing penalties for violations thereof, and moved that the House insist on the House amendment to Senate File 85.

A non-record roll call was requested.

The ayes were 65, nays 27.

The motion prevailed and the House insists on the House amendment.

CONFERENCE COMMITTEE APPOINTED
(Senate File 85)

The Speaker announced the appointment of Kehe of Bremer, chairman; Pierson of Mahaska, Siglin of Lucas and Scott of Cerro Gordo, as conferees concerning Senate File 85.

UNFINISHED BUSINESS

The House resumed consideration of **House File 1044**, a bill for an act authorizing counties to acquire private property by condemnation for sanitary landfill purposes.

Kruse of O'Brien asked and received unanimous consent to withdraw the amendment filed by him on January 28, 1972, and found on pages 218 and 219 of the House Journal.

Kruse of O'Brien offered the following amendment filed by him and Schmeiser of Des Moines and moved its adoption:

Amend House File 1044, line 15, by inserting after the word "and" the words "*except that such county may condemn land for sanitary landfill purposes within its own county boundaries only if the site is approved by the county zoning commission, if there is one, or by the county or district board of health, if there is no county zoning commission; and*".

The amendment was adopted.

Taylor of Dubuque asked and received unanimous consent to withdraw the amendment filed by him on January 31, 1972, and found on page 227 of the House Journal, and amendment filed on February 1, 1972, and found on page 246 of the House Journal.

Kruse of O'Brien moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1044)

The ayes were, 64:

Alt	Bray	Doyle	Gluba
Anania	Camp	Drake	Grassley
Andersen	Campbell	Dunton	Hamilton
Bennett	Cochran	Ellsworth	Hansen
Bergman	Curtis	Fisher, C. R.	Hill
Blouin	Den Herder	Freeman	Holden

Jesse	McElroy	Pierson	Strand
Kehe	Mendenhall	Rex	Strothman
Kinley	Menefee	Rodgers	Trowbridge
Knoke	Middleswart	Roorda	Varley
Kreamer	Millen	Sargisson	Waugh
Kruse	Miller	Schmeiser	Welden
Larson	Mollett	Schwartz	Wells
Lipsky	Nielsen	Small	Willits
Mayberry	Nystrom	Sorg	Wirtz
McCormick	Patton	Stanley	Mr. Speaker

The nays were, 20:

Christensen	Husak	Priebe	Stromer
Clark	Logemann	Radl	Taylor
Dougherty	Moffitt	Scott	Tieden
Edelen	Norpel	Siglin	Winkelman
Fischer, H. O.	Pellett	Stokes	Wyckoff

Absent or not voting, 16:

Egenes	Johnston	Lawson	Schwieger
Ewell	Kelly	Monroe	Shaw
Franklin	Kennedy	Pelton	Skiner
Goode	Knoblauch	Schroeder	Uban

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

REGULAR CALENDAR

Senate File 428, a bill for an act to provide a unified trial court having district court judges and district court magistrates; to discontinue superior, justice of the peace, and police courts; and to establish traffic violations offices within the district court to receive uniform traffic violation penalties, with report of committee recommending amendment and passage, was taken up for consideration.

Camp of Clinton asked and received unanimous consent that Rule 31 be temporarily suspended.

Grassley of Butler offered the following amendment filed by him, Holden of Scott and Radl of Linn:

- 1 Amend Senate File 428, as passed by the Senate and
- 2 reprinted, as follows:
- 3 1. By striking everything after the enacting clause
- 4 and inserting in lieu thereof the following:
- 5 Section 1. Section sixteen point twenty-four (16.24),
- 6 Code 1971, as amended by chapter eighty (80), section
- 7 two (2), and chapter eighty-four (84), sections sixty-
- 8 four (64), sixty-five (65), and sixty-six (66), Acts
- 9 of the Sixty-fourth General Assembly, First Session,
- 10 is amended by adding the following new subsection:
- 11 "To each justice of the peace upon requisition by the
- 12 county board of supervisors of each county1 copy".

13 Sec. 2. Section sixteen point twenty-five (16.25),
14 Code 1971, as amended by chapter eighty (80), section
15 three (3), and chapter eighty-four (84), section sixty-
16 seven (67), Acts of the Sixty-fourth General Assembly,
17 First Session, is amended by adding the following new
18 section:

19 "To each justice of the peace upon requisition by the
20 county board of supervisors of each county1 copy".

21 Sec. 3. Section thirty-nine point twenty-one (39.21),
22 Code 1971, is amended by striking the section and
23 inserting in lieu thereof the following new section:

24 39.21 ELECTION OF JUSTICES. The county board of
25 supervisors shall establish single-member justice of
26 the peace districts based upon population within the
27 county. A justice of the peace shall be elected
28 biennially for two-year terms by the voters of his
29 district in the manner provided in this chapter.

30 A justice of the peace shall be an elector of the
31 county and shall reside in the district from which he
32 is elected and shall be less than seventy-two years
33 of age at the time of his election. He shall be a high
34 school graduate with a diploma or possess an equivalency
35 certificate which meets the minimum score required by
36 the state of Iowa as determined by the department of
37 public instruction.

38 The number of justices of the peace in each county
39 shall be determined as follows:

40 1. Counties which have a population of less than
41 ten thousand persons, one justice of the peace, except
42 that the board of supervisors may increase the number
43 of justices to two if two justices are deemed necessary.

44 2. Counties which have a population of at least
45 ten thousand persons, but less than twenty thousand
46 persons, two justices of the peace.

47 3. Counties which have a population of at least
48 twenty thousand, but less than forty thousand population,
49 three justices of the peace.

50 4. Counties which have at least forty thousand
51 population, four justices of the peace, except that
52 the number of justices shall be reduced by one for
53 each municipal court established within the county.

54 5. The board of supervisors may reduce the number
55 of justices in each county if such action appears
56 reasonable, based on the number of cases heard by
57 justices of the peace in the county for the preceding
58 year.

59 Sec. 4. Section forty-nine point one hundred six
60 (49.106), Code 1971, is amended to read as follows:

61 49.106 MAY COMMIT DISORDERLY PERSON. Any [constable
62 or special] policeman may forthwith arrest such person
63 and bring him before the judges of election, and they,
64 by a warrant under their hands, may commit him to
65 the jail of the county for a term not exceeding twenty-
66 four hours, but they shall permit him to vote.

67 Sec. 5. Section forty-nine point one hundred
68 fifteen (49.115), Code 1971, is amended to read as

69 follows:

70 49.115 CONSTABLES. [Except in] *In voting precincts*
71 [within any] *located outside a city*, [any constable of
72 the township, who may be designated by] the judges
73 of election[,] *may appoint from two to four special*
74 *policemen for each voting precinct. The special*
75 *policemen shall attend at the place of election*[, if
76 none attend, the judges of the election may, in
77 writing, specially appoint one or more, who shall
78 have all the powers of a regular constable] *and shall*
79 *have the powers granted special policemen in section*
80 *49.114.*

81 Sec. 6. Section forty-nine point one hundred
82 sixteen (49.116), Code 1971, is amended to read as
83 follows:

84 49.116 PRESERVING ORDER. All special policemen
85 [and constables] are authorized and required to preserve
86 order and peace at all places of election, and such
87 special policemen[, constables,] and all other persons
88 are authorized and required to obey the lawful orders
89 and commands of said judges of election given to
90 prevent violations of this chapter.

91 Sec. 7. Section sixty-two point four (62.4), Code
92 1971, is amended to read as follows:

93 62.4 SHERIFF TO ATTEND. The court or presiding
94 judge may direct the attendance of the sheriff [or
95 a constable] when necessary.

96 Sec. 8. Section sixty-four point eight (64.8),
97 Code 1971, is amended to read as follows:

98 64.8 COUNTY OFFICERS. The bonds of the following
99 county officers, viz.: Clerks of the district courts,
100 county attorneys, recorders, auditors, superintendents
101 of schools, sheriffs, justices of the peace, [and
102 constables,] and assessors shall each be in a penal
103 sum to be fixed by the board of supervisors.

104 Sec. 9. Section sixty-four point nine (64.9),
105 Code 1971, is amended to read as follows:

106 64.9 MINIMUM BONDS OF COUNTY OFFICERS. Bonds
107 of members of the board of supervisors, clerks of
108 the district courts, county auditors, sheriffs, and
109 county attorneys shall not be in less sum than five
110 thousand dollars each, and those of justices [and
111 constables] *of the peace*, not less than [five hundred]
112 *one thousand dollars each.*

113 Sec. 10. Section sixty-four point twenty-four
114 (64.24), subsection two (2), Code 1971, is amended
115 to read as follows:

116 2. In the record kept by the county auditor, the
117 official bonds of all county officers, elective or
118 appointive, justices of the peace, *and township clerks*[,
119 *and constables*].

120 Sec. 11. Section sixty-five point nine (65.9),
121 Code 1971, is amended to read as follows:

122 65.9 JUSTICE OF THE PEACE. If the proceedings
123 relate to a justice of the peace, and he is removed

124 from office, the county auditor shall notify the
125 [proper township trustees or clerk] *appropriate county*
126 *board of supervisors* of the removal.

127 Sec. 12. Section sixty-nine point eight (69.8),
128 subsection four (4), Code 1971, is amended to read
129 as follows:

130 4. COUNTY OFFICES. In county offices, including
131 justices of the peace [and constables], by the board
132 of supervisors.

133 Sec. 13. Section one hundred eighty-eight point
134 twenty-eight (188.28), unnumbered paragraph one (1),
135 Code 1971, is amended to read as follows:

136 188.28 PROOF OF SERVICE. Immediately after the
137 expiration of said ten days of posting, the person
138 taking up the estray shall, unless such estray has
139 been previously claimed by the owner, file with a
140 justice of the peace in the [township] *county* in which
141 the estray was taken up, [or, in case there is no
142 justice in the township, then with the next nearest
143 justice in the county,] his affidavit which shall show:

144 Sec. 14. Section three hundred thirty-two point
145 nine (332.9), Code 1971, is amended to read as follows:

146 332.9 OFFICES FURNISHED. The board of supervisors
147 shall furnish the clerk of the district court, sheriff,
148 recorder, treasurer, auditor, county attorney, county
149 superintendent, county surveyor or engineer, and
150 county assessor, with offices at the county seat,
151 but in no case shall any such officer, except the
152 county attorney, be permitted to occupy an office
153 also occupied by a practicing attorney. *The board*
154 *may require justices of the peace to hold court in*
155 *facilities furnished by the county. If recommended*
156 *by the chief judge of the judicial district, the board*
157 *shall furnish suitable facilities for justices of*
158 *the peace to hold court.*

159 Sec. 15. Section three hundred forty-three point
160 three (343.3), Code 1971, is amended to read as
161 follows:

162 343.3 ACTING AS COUNSEL. No sheriff[,] or deputy
163 sheriff[, or constable] shall appear in any court as
164 attorney or counsel for any party, nor make any writing
165 or process to commence any action or proceeding, or
166 to be in any manner used in the same; and such writing
167 or process made by any of them shall be rejected.

168 Sec. 16. Section three hundred forty-three point
169 four (343.4), Code 1971, is amended to read as follows:

170 343.4 PURCHASE OF PROPERTY. No sheriff[,] or deputy
171 sheriff[, or constable] shall become the purchaser,
172 either directly or indirectly, of any property by
173 him exposed to sale under any process of law; and
174 every such purchase shall be void.

175 Sec. 17. Section three hundred fifty-nine point
176 thirty-eight (359.38), Code 1971, is amended to read
177 as follows:

178 359.38 WATCHMAN APPOINTED. Such trustees,

179 directors, or other officers may appoint as many day
180 and night watchmen of their grounds as they may think
181 expedient, and such watchmen, and also all their
182 sextons, superintendents, gardeners, and agents,
183 stationed upon or near said grounds are hereby
184 authorized to take and subscribe, before any mayor
185 of a city or justice of the peace of the [township]
186 county where such cemetery is situated, an oath of
187 office[, similar to that required by law of constables].

188 Sec. 18. Section three hundred fifty-nine point
189 thirty-nine (359.39), Code 1971, is amended to read
190 as follows:

191 359.39 EX OFFICIO POLICE OFFICERS. Upon the
192 taking of such oath, such watchmen, sextons,
193 superintendents, gardeners, and agents shall have
194 and exercise all powers of police officers within
195 and adjacent to the cemetery grounds and each shall
196 have power to arrest any and all persons engaged in
197 violating the laws of this state, and to bring such
198 person so offending before any justice of the peace
199 within such [township] county to be dealt with according
200 to law.

201 Sec. 19. Section three hundred sixty-seven point
202 five (367.5), Code 1971, is amended to read as follows:

203 367.5 JURISDICTION OF MAYOR. In other cities
204 and towns, the mayor, or mayor pro tempore [when
205 authorized], *may request approval from the chief judge*
206 *of the judicial district of the county to hold mayor's*
207 *court[.]. If approval is granted by the chief judge*
208 *of the judicial district of the county, the mayor*
209 *shall have exclusive jurisdiction of all actions or*
210 *prosecutions for violations of city or town ordinances,*
211 *and [the mayor] shall have, in criminal matters, the*
212 *jurisdiction of a justice of the peace, coextensive*
213 *with the county, and in civil cases, the jurisdiction*
214 *within the city or town that a justice of the peace*
215 *has within the [township] county.*

216 Sec. 20. Section three hundred sixty-seven point
217 thirteen (367.13), Code 1971, is amended to read as
218 follows:

219 367.13 FEES. Police judges in criminal cases
220 under ordinances or state laws shall [receive] *charge*
221 *the same fees as justices of the peace [receive] in*
222 *similar cases and all fees collected shall be paid*
223 *into the municipal treasury. In criminal cases under*
224 *ordinance, said fees shall be payable from the*
225 *municipal treasury, and in criminal cases under state*
226 *law, said fees shall be payable from the county*
227 *treasury. The council [may] shall by ordinance provide*
228 *a salary in lieu of all fees[, and thereafter all fees*
229 *collected shall be paid into the municipal treasury]*
230 *and the salary may be based upon the salaries paid*
231 *to justices of the peace.*

232 Sec. 21. Section three hundred sixty-seven point
233 fourteen (367.14), Code 1971, is amended to read as

234 follows:

235 367.14 MARSHAL AS BAILIFF. The marshal or his
236 deputy shall attend upon the sittings of the mayor's
237 and police courts and perform the duties of bailiff
238 therein. The fees for such services shall be the
239 same as [constables] *county sheriffs* receive for similar
240 services [in justice of the peace court]. Fees shall
241 be payable from the municipal treasury for services
242 in connection with criminal cases under ordinances,
243 and from the county treasury for services in connection
244 with criminal cases under the state law. The council
245 may by ordinance provide a salary in lieu of all fees,
246 and thereafter all fees collected shall be paid into
247 the municipal treasury.

248 Sec. 22. Section three hundred sixty-seven point
249 fifteen (367.15), Code 1971, is amended to read as
250 follows:

251 367.15 MAYOR'S FEES. For holding a mayor's or
252 police court, or discharging the duties of a justice
253 of the peace, the mayor shall receive in addition
254 to his regular salary as mayor, such [fees or] salary
255 as is by law or ordinance provided for officers
256 performing such duties.

257 Sec. 23. Section four hundred forty-five point
258 forty-nine (445.49), Code 1971, is amended to read
259 as follows:

260 445.49 SHERIFF [OR CONSTABLE] AS COLLECTOR. In
261 the discharge of his duties as collector, should it
262 become necessary to make the delinquent taxes by
263 distress and sale, or should no collector be appointed,
264 or should the collector fail to institute proceedings
265 to collect said delinquent taxes, the treasurer shall
266 place the same in the hands of the sheriff[, or a
267 constable,] who shall proceed to collect the same,
268 and [either] *he* shall be entitled to receive the same
269 compensation in addition to the five percent, as
270 [constables are] *he is* entitled to receive for the sale
271 of property on execution.

272 Sec. 24. Section five hundred eighty point four
273 (580.4), unnumbered paragraph one (1), Code 1971,
274 is amended to read as follows:

275 580.4 AFFIDAVIT OF FORECLOSURE. Lien may be
276 enforced by the holder filing [with any constable of
277 the county in which the progeny is kept, or] with the
278 sheriff of [such county] *the county in which the progeny*
279 *is kept*, an affidavit which shall, in addition to
280 a demand for foreclosure, contain:

281 Sec. 25. Section five hundred eighty point five
282 (580.5), unnumbered paragraph one (1), Code 1971,
283 is amended to read as follows:

284 580.5 POSSESSION AND NOTICE. The [constable or]
285 sheriff shall, under said affidavit, take immediate
286 possession of said progeny, and give written notice
287 of the sale thereof, which notice shall contain:

288 Sec. 26. Section five hundred eighty point eight

289 (580.8), Code 1971, is amended to read as follows:
290 580.8 SALE—APPLICATION OF PROCEEDS. If payment
291 of the service fee[, and constable costs,] be not made
292 prior to the time of sale, as fixed in such notices,
293 the [constable] *sheriff* may sell property so held by
294 him, or so much thereof as may be necessary, at public
295 auction to the highest bidder, and the proceeds shall
296 be applied, first, to the payment of the costs, and
297 second, in payment of amount due for service fee.
298 Any surplus arising from such sale shall be forthwith
299 paid to the owner of the property sold.

300 Sec. 27. Section six hundred one point three
301 (601.3), Code 1971, is amended to read as follows:
302 601.3 SUITS BROUGHT WHERE PARTY RESIDES. Actions
303 in all cases may be brought in the [township] *justice*
304 *of the peace district* where the plaintiff, or the
305 defendant, or one of several defendants, resides,
306 unless otherwise provided by law.

307 Sec. 28. Section six hundred one point four
308 (601.4), Code 1971, is amended to read as follows:
309 601.4 WHERE DEFENDANT SERVED. They may also be
310 brought in any other [township] *justice of the peace*
311 *district* of the same county, if actual service on
312 one or more of the defendants is made in such [township]
313 *district*.

314 Sec. 29. Section six hundred one point six (601.6),
315 Code 1971, is amended to read as follows:
316 601.6 ATTACHMENT. Actions aided by attachment
317 may be brought against nonresidents of the state in
318 any county [and township] wherein the property sought
319 to be levied upon is found.

320 Sec. 30. Section six hundred one point eight
321 (601.8), Code 1971, is amended to read as follows:
322 601.8 WRITTEN STIPULATION FOR PLACE OF SUIT.
323 On written contracts stipulating for payment at a
324 particular place, action may be brought in the [township]
325 *justice of the peace district* where the payment was
326 agreed to be made.

327 Sec. 31. Section six hundred one point eleven
328 (601.11), Code 1971, is amended to read as follows:
329 601.11 CHANGE OF VENUE FOR FRAUD. Where an action
330 is brought relying upon the foregoing provisions to
331 fix the venue in a [township] *justice of the peace*
332 *district* in a county other than the residence of the
333 signer of a written contract, and the defendant files
334 a verified answer setting forth a legal defense alleg-
335 ing fraud in the inception of the contract, and he
336 files therein a motion asking to have said cause
337 transferred to the county of his residence, accompanied
338 by a cost bond of fifty dollars to be approved by
339 the court where the action is brought, the justice
340 before whom such action is brought shall thereupon
341 order the same transferred to such county upon the
342 defendant paying fees of transcript and postage,
343 and all papers and transcript shall forthwith be

344 mailed, by certified mail [letter], to the clerk of
345 the district court of the court of defendant's
346 residence, and said cause shall be docketed for trial.

347 Sec. 32. Section six hundred one point fourteen
348 (601.14), Code 1971, is amended to read as follows:

349 601.14 IN ADJOINING [TOWNSHIP] *DISTRICT*. If there
350 is no justice in the proper [township] *justice of the*
351 *peace district* qualified or able to act, the action
352 may be commenced in any adjoining [township] *justice*
353 *of the peace district* in the same county. If there
354 [be no such] *is no* justice in an adjoining [township]
355 *district*, it may be commenced before [the] *a justice*
356 in [the same county nearest to the township in which

357 the defendant resides] *an adjoining county*.
358 Sec. 33. Section six hundred one point fifteen
359 (601.15), Code 1971, is amended by striking the section
360 and inserting in lieu thereof the following:

361 601.15 INVOICES FURNISHED. The board of
362 supervisors of each county shall furnish each justice
363 of the peace in the county with a record book
364 containing serially numbered invoice receipts in
365 triplicate. The original of each invoice receipt
366 shall be given to the defendant, one copy shall be
367 transmitted to the board of supervisors, and one copy
368 shall be retained by the justice of the peace. The
369 board of supervisors shall also furnish each justice
370 of the peace with a record book suitable for a docket.

371 Sec. 34. Section six hundred one point twenty-
372 three (601.23), Code 1971, is amended to read as
373 follows:

374 601.23 SERVICE AND RETURN. The service and return
375 thereto must be made in the same manner as in the
376 district court, except no service shall be made by
377 publication other than is herein provided, nor shall
378 any return made by another than the sheriff [or a
379 constable] of the county be valid unless sworn to.

380 Sec. 35. Section six hundred one point thirty-
381 five (601.35), Code 1971, is amended to read as
382 follows:

383 601.35 NEXT NEAREST JUSTICE. When a change is
384 allowed and the fees for transcript are paid, said
385 justice shall transmit all the original papers in
386 the case, and a transcript of his proceedings, to
387 the next nearest justice in the [township] *county*, if
388 there be any; if not, to the next nearest justice
389 in [his county] *an adjoining county*, and said justice
390 shall proceed to try said case, and, if he cannot
391 try the same immediately, he shall then fix a time
392 therefor, of which all parties shall take notice;
393 provided, however, anything herein to the contrary
394 notwithstanding, if any party seeking to have the
395 place of trial changed shall so request and designate
396 a municipal or superior court within the county, said
397 cause and all original papers and transcript shall
398 be removed immediately to such designated municipal

399 court or superior court, if there be such municipal
400 or superior court within the county, and docketed,
401 the filing fee to be paid by plaintiff, for nonpayment
402 of which the cause shall be dismissed.

403 Sec. 36. Section six hundred one point forty-nine
404 (601.49), Code 1971, is amended to read as follows:

405 601.49 JURY SUMMONED. If a jury [be] is demanded,
406 the justice shall issue his precept to [some constable
407 of the township] *the sheriff*, directing him to summon
408 the requisite number of jurors possessing the same
409 qualifications as are required in the district court.

410 Sec. 37. Section six hundred one point seventy-
411 three (601.73), Code 1971, is amended to read as
412 follows:

413 601.73 FORM. Such execution shall be against
414 the goods and chattels of the defendant therein, and
415 shall be directed to [any constable] *the sheriff* of
416 the county.

417 Sec. 38. Section six hundred one point one hundred
418 ten (601.110), Code 1971, is amended to read as
419 follows:

420 601.110 ATTACHMENT WITHOUT PERSONAL SERVICE.

421 In actions in which an attachment is sought, if it
422 is made to appear by affidavit that personal service
423 cannot be had on the defendant within the state, the
424 justice, upon the return day, unless the defendant
425 appear, shall make an order fixing the day for the
426 trial, not less than sixty days thereafter, and
427 requiring notice to be given by [any constable] *the*
428 *sheriff* as provided in section 601.111.

429 Sec. 39. Section six hundred one point one hundred
430 eighteen (601.118), Code 1971, is amended to read
431 as follows:

432 601.118 INTERCHANGE. In case of sickness, or
433 other disability, or absence of a justice at the time
434 fixed for a trial of a cause or other proceeding,
435 any other justice of the [township] *county or an*
436 *adjoining county* may, at his request, attend and
437 transact the business for him without any transfer
438 to another office. The entries shall be made in the
439 docket of the justice at whose office the business
440 is transacted, and the same effect shall be given
441 to the proceedings as though no such interchange of
442 official service had taken place.

443 Sec. 40. Section six hundred one point one hundred
444 twenty-two (601.122), Code 1971, is amended to read
445 as follows:

446 601.122 SHERIFF [AND CONSTABLE]. The [constable]
447 *sheriff* is the proper executive officer in a justice's
448 court[, but the sheriff may perform any of the duties
449 required of him]. The powers and duties of the sheriff
450 in relation to the business of the district court,
451 so far as the same are applicable and not modified
452 by statute, devolve upon the [constable] *sheriff* in
453 relation to the justice's court.

454 Sec. 41. Section six hundred one point one hundred
455 thirty-two (601.132), Code 1971, is amended to read
456 as follows:

457 601.132 ANNUAL REPORT TO BOARD OF SUPERVISORS.

458 *All justices of the peace shall pay into the county*
459 *treasury all criminal and civil fees collected in*
460 *each year including all fees collected pursuant to*
461 *section 601.128. All justices of the peace [and*
462 *constables] shall under oath make an annual report*
463 *to the board of supervisors, upon blanks furnished*
464 *by the county auditor, of all criminal fees taxed*
465 *and collected during the year, which report shall*
466 *also show that all criminal fees and fines collectible*
467 *by law have been received, such annual report to be*
468 *made on the [first] second Monday in January[, and before*
469 *the annual settlement shall be made,] and accompanied*
470 *with the receipts of the treasurer for all money paid*
471 *in to him.*

472 *All justices of the peace shall make an annual*
473 *report for the preceding calendar year to the board*
474 *of supervisors and to the district court, upon blanks*
475 *furnished by the board of supervisors, of their total*
476 *case loads including all actions brought before them.*
477 *The report shall be filed on or before January*
478 *fifteenth of each year for the preceding year.*

479 Sec. 42. Section six hundred one point one hundred
480 thirty-three (601.133), Code 1971, is amended to read
481 as follows:

482 601.133 QUARTERLY REPORT TO COUNTY AUDITOR.

483 Justices of the peace shall make, under oath, quarterly
484 reports, upon blanks furnished by the county auditor,
485 and shall file the same with the county auditor, which
486 reports shall contain a true and correct transcript
487 of all criminal proceedings which have been instituted
488 or adjudicated in their courts, with the names of
489 all attending witnesses and jurors and fees taxed
490 [in their favor].

491 Sec. 43. Section six hundred one point one hundred
492 thirty-four (601.134), Code 1971, is amended to read
493 as follows:

494 601.134 ATTENDANCE AT JUDICIAL CONFERENCE. [It

495 shall be the duty of the justices of the peace to attend
496 the conference or school of instruction designated
497 for them by the chief justice of the supreme court.]
498 *Annually the court administrator of the judicial*
499 *department shall cause at least one conference or*
500 *school of instruction to be conducted for justices*
501 *of the peace, which each justice of the peace shall*
502 *attend unless excused by the court administrator for*
503 *good cause. Reimbursement for expenses of attending*
504 *[one] such [conference] conferences or [school] schools*
505 *of instruction [per year] shall be made from the general*
506 *fund of their county and be subject to the limitation*
507 *contained in section 605.2. A justice of the peace*
508 *who does not attend a conference or school and has*

509 *not been excused by the court administrator is dis-*
510 *qualified from office and a new justice of the peace*
511 *shall be appointed within thirty days by the county*
512 *board of supervisors.*

513 Sec. 44. Chapter six hundred one (601), Code 1971,
514 is amended by adding the following new sections:

515 1. "Any person appearing as a defendant before
516 a justice of the peace may have his case heard by
517 the judge of the nearest municipal court, and in such
518 case the judge of the municipal court shall act on
519 behalf of the justice of the peace. Prior to the
520 commencement of the hearing before the justice of
521 the peace, the justice of the peace shall inform the
522 defendant of his right to be tried by the judge of
523 the municipal court."

524 2. "If the chief judge of a judicial district
525 finds that cause exists for removal of a justice of
526 the peace, he shall remove the justice of the peace
527 and a successor shall be appointed by the county board
528 of supervisors."

529 3. "The chief judge of the judicial district on
530 the basis of the case load of each justice of the
531 peace, shall set the annual salary of each justice
532 of the peace as follows:

533 1. For hearing one hundred cases or less, six
534 hundred dollars.

535 2. For hearing not more than two hundred cases
536 but not less than one hundred one cases, nine hundred
537 dollars.

538 3. For hearing not more than four hundred cases
539 and not less than two hundred fifty cases, one thousand
540 eight hundred dollars.

541 4. For hearing not more than six hundred cases
542 and not less than four hundred one cases, two thousand
543 four hundred dollars.

544 5. For hearing not more than eight hundred cases,
545 and not less than six hundred one cases, three thousand
546 dollars.

547 6. For hearing not more than one thousand two
548 hundred cases and not less than eight hundred one
549 cases, four thousand two hundred dollars.

550 7. For hearing more than one thousand two hundred
551 cases, four thousand eight hundred dollars."

552 4. "The salary of the justice of the peace shall
553 be payable monthly from the court fund of the county
554 in which his justice of the peace district is located
555 and also his actual and necessary expenses in the
556 performance of his duties away from his district
557 pursuant to section six hundred five point two (605.2)
558 of the Code. The chief judge of the judicial district
559 shall certify to the appropriate county auditor the
560 annual salary to which each justice in his judicial
561 district is entitled."

562 5. "On January 1, 1975, justices of the peace whose
563 terms of office expire shall file all documents and

564 books pertaining to their office with the newly-elected
565 justices of the peace of the justice of the peace
566 district in which they are located. The newly elected
567 justices of the peace shall assume jurisdiction over
568 cases pending before the justices of the peace whose
569 terms have expired.”

570 Sec. 45. Section six hundred two point one (602.1),
571 Code 1971, is amended to read as follows:

572 602.1 COURT ESTABLISHED—DISTRICT DEFINED. A
573 municipal court may be established in any city having
574 a population of five thousand or more, by proceeding
575 as hereinafter provided. All that part of each civil
576 township within the corporate limits of such city
577 shall constitute the municipal court district, *except*
578 *that upon the request of a justice of the peace, a*
579 *municipal court judge shall have jurisdiction over*
580 *the specific action for which the request is made.*

581 Sec. 46. Chapter six hundred four (604), Code
582 1971, is amended by adding the following new sections:

583 “The chief judge of a judicial district may remove
584 a justice of the peace of that judicial district from
585 office for cause.”

586 “The chief judge of a judicial district on the
587 basis of case load of each justice of the peace shall
588 set the annual salary of each justice of the peace
589 pursuant to section forty-four (44), subsection three
590 (3) of this Act. For the initial year the case load
591 for each justice of the peace district shall be
592 determined by dividing the total number of cases of
593 justices of the peace in the county for the preceding
594 year by the number of justice of the peace districts
595 established in section three (3) of this Act in each
596 county. For each succeeding year, the caseload shall
597 be the caseload of the justice of the peace district
598 of the preceding year.”

599 Sec. 47. Section six hundred twenty-two point
600 sixty-three (622.63), Code 1971, is amended to read
601 as follows:

602 622.63 SUBPOENAS. The clerks of the several
603 courts shall, on application of any person having
604 a cause or matter pending in court, issue a subpoena
605 for witnesses under the seal of the court, inserting
606 all the names required by the applicant in one
607 subpoena, if practicable, which may be served by the
608 sheriff [or any constable] of the county, or by the
609 party or any other person.

610 Sec. 48. Section six hundred twenty-two point
611 seventy-eight (622.78), Code 1971, is amended to read
612 as follows:

613 622.78 SERVING SUBPOENA. If a witness conceals
614 himself, or in any manner attempts to avoid being
615 personally served with a subpoena, any sheriff [or
616 constable] having the subpoena may use all necessary
617 and proper means to serve the same, and may for that
618 purpose break into any building or other place where

619 the witness is to be found, having first made known
620 his business and demanded admission.

621 Sec. 49. Section six hundred thirty-nine point
622 sixty-eight (639.68), Code 1971, is amended to read
623 as follows:

624 639.68 SHERIFF[—CONSTABLES]. The word "sheriff",
625 or "officer", as used in this chapter is meant to
626 apply to [constables when the proceedings are in a
627 justice's court, or] the like officer of any other
628 court.

629 Sec. 50. Section six hundred forty-two point one
630 (642.1), Code 1971, is amended to read as follows:

631 642.1 WHO MAY BE GARNISHED. A sheriff [or constable]
632 may be garnished for money of the defendant in his
633 hands; a judgment debtor of the defendant, when the
634 judgment has not been assigned on the record, or by
635 writing, filed in the office of the clerk and by him
636 minuted as an assignment on the margin of the judgment
637 docket; and an executor, for money due from decedent.

638 Sec. 51. Section six hundred forty-four point
639 one (644.1), Code 1971, is amended to read as follows:

640 644.1 TAKING UP VESSELS, RAFTS, LOGS AND LUMBER.

641 If any person shall stop or take up any vessel or
642 watercraft, or any raft of logs, or part thereof,
643 or any logs suitable for making lumber or hewn timber,
644 or sawed lumber, found adrift within the limits or
645 upon the boundaries of this state, of the value of
646 five dollars or upwards, including the cargo, tackle,
647 rigging, and other appendages of such vessel or water-
648 craft, such person, within five days thereafter,
649 provided the same shall not have been previously
650 proved and restored to the owner, shall go before
651 some justice of the peace in the [township] county where
652 such property is found, and make affidavit setting
653 forth the exact description of such property; where
654 and when the same was found; whether any, and if so
655 what cargo, tackle, rigging, or other appendages were
656 found on board or attached thereto; and that the same
657 has not been altered or defaced, either in whole or
658 in part, since the taking up, either by him or by
659 any other person to his knowledge.

660 Sec. 52. Section six hundred forty-four point
661 two (644.2), Code 1971, is amended to read as follows:

662 644.2 WARRANT—APPRAISAL—RETURN—RECORD. The
663 said justice shall thereupon issue his warrant,
664 directed to [some constable of his township] *the sheriff*
665 *of the county*, commanding him to summon three
666 respectable householders of the neighborhood, who
667 shall proceed without delay to examine and appraise
668 such property, including cargo, tackle, rigging, and
669 other appendages if any there be, and to make report
670 thereof under their hands to the justice issuing such
671 warrant, who shall enter the same, together with the
672 affidavit of the taker-up, at large in his estray
673 book, and within five days shall transmit a certified

674 copy thereof to the county auditor of the proper
675 county, to be by him recorded in his estray book and
676 filed in his office.

677 Sec. 53. Section six hundred forty-eight point
678 five (648.5), Code 1971, is amended to read as follows:
679 648.5 JURISDICTION—TRANSFER—APPEAL. The
680 district, municipal, and superior courts, *and justices*
681 *of the peace* within the county, [and justices of the
682 peace within the township] where the subject matter
683 of the action is situated, shall have concurrent
684 jurisdiction of actions for the forcible entry or
685 detention of real property, and the court first
686 acquiring jurisdiction of an action therefor shall
687 retain the same until judgment, unless it is
688 transferred as hereinafter provided. Where an action
689 is brought in the district, superior, [of] *or* municipal
690 court it shall be tried as an equitable action, and
691 upon presentation of the petition to the court or
692 judge after the same has been filed, the court or
693 judge shall make an order fixing the time and place
694 for hearing upon said petition and shall prescribe
695 that notice of the hearing be personally served upon
696 the defendant or defendants, which service shall be
697 at least five days prior to the date set for hearing.
698 By agreement of the parties, it may be transferred
699 from a justice's court to a municipal, superior, or
700 the district court, or from a superior or a municipal
701 to the district court, and all such actions in which
702 judgment is rendered in a justice's court may be
703 appealed to the district or superior court, as provided
704 by law.

705 Sec. 54. Section six hundred forty-eight point
706 eight (648.8), Code 1971, is amended to read as
707 follows:

708 648.8 VENUE. When brought before a justice of
709 the peace, and there is none present or qualified
710 to act in the [township] *justice of the peace district*
711 where the subject thereof is situated, it may be
712 brought in an adjoining [township] *district* in the
713 county. If there [be] *is* no such justice in an adjoining
714 [township] *district* in the county it may be commenced
715 before [the] *a* justice in [the same] *an adjoining* county
716 nearest to the [township] *justice of the peace district*
717 in which the subject thereof is situated.

718 Sec. 55. Section six hundred sixty-seven point
719 five (667.5), Code 1971, is amended to read as follows:

720 667.5 SERVICE OF WARRANT. Any [constable or] marshal
721 of any city or town may execute the warrant, whether
722 it issues from the office of the clerk of the district
723 or superior court, or of a justice.

724 Sec. 56. Section seven hundred nine point nine
725 (709.9), Code 1971, is amended to read as follows:

726 709.9 TAKING GOODS FROM OFFICER. If any person,
727 knowingly and without authority of law, take, carry
728 away, secrete, or destroy any goods or chattels while

729 the same are lawfully in the custody of any sheriff,
730 county medical examiner, marshal, [constable,] or other
731 officer, and held by such officer by virtue of
732 execution, writ of attachment, or other legal process,
733 he shall be guilty of larceny, and, when the value
734 of the property so taken, carried away, secreted,
735 or destroyed exceeds the sum of twenty dollars, be
736 imprisoned in the penitentiary not more than one year;
737 and when it does not exceed twenty dollars, be fined
738 not exceeding one hundred dollars, or imprisoned in
739 the county jail not more than thirty days.

740 Sec. 57. Section seven hundred twenty-five point
741 nine (725.9), Code 1971, is amended to read as follows:
742 725.9 WARRANTS FOR SEARCH OR SEIZURE. Any
743 magistrate or police judge is authorized, on complaint
744 supported by oath or affirmation of one or more
745 persons, to issue a warrant, directed to the sheriff
746 of the county within which such complaint is made,
747 [or to any constable] or police officer within said
748 county, directing him or them, or any of them, to
749 search for, seize and take possession of such books,
750 papers, pictures, circulars, articles, and things
751 named in this chapter; and said magistrate or police
752 judge shall deliver personally, or shall transmit,
753 enclosed and under seal, specimens thereof to the
754 county attorney of his county, and shall deposit
755 within the county jail of his county, or other secure
756 place, as to him shall seem meet, enclosed and under
757 seal, the remainder thereof, and shall, upon the
758 conviction of the person or persons offending under
759 the provisions of this chapter, forthwith, in the
760 presence of the person or persons upon whose complaint
761 the seizure or arrest was made, if he or they shall
762 elect to be present, destroy, or cause to be destroyed,
763 the remainder thereof and shall cause to be entered
764 upon the record of his court the fact of such
765 destruction.

766 Sec. 58. Section seven hundred thirty-nine point
767 nine (739.9), Code 1971, is amended to read as follows:

768 739.9 SHERIFF OR OTHER OFFICERS RECEIVING BRIBES.

769 If any sheriff[,] or deputy sheriff[, or constable], or
770 any marshal, deputy marshal, policeman, or police
771 officer of any city or town, receive from a defendant,
772 or other person, any money or other valuable thing
773 as a consideration or inducement for omitting or
774 delaying to arrest any defendant or to carry him
775 before a magistrate or to prison, or for postpon-
776 ing, delaying, or neglecting the sale of property
777 on execution, or for omitting or delaying to perform
778 any other duty pertaining to his office, he shall
779 be fined not exceeding five hundred dollars, or
780 imprisoned in the county jail not exceeding six months,
781 or both fined and imprisoned, at the discretion of
782 the court.

783 Sec. 59. Section seven hundred forty point five

784 (740.5), Code 1971, is amended to read as follows:

785 740.5 FALSELY ASSUMING TO BE OFFICER. If a person
786 falsely assumes to be a judge, justice of the peace,
787 magistrate, sheriff, deputy sheriff, peace officer,
788 special agent of the Iowa department of public safety,
789 or conservation officer, [or constable,] and take upon
790 himself to act as such, or require anyone to aid or
791 assist him in any matter pertaining to the duty of
792 any such officer, he shall be imprisoned in the county
793 jail not more than one year, or be fined not exceeding
794 three hundred dollars.

795 Sec. 60. Section seven hundred forty point six
796 (740.6), Code 1971, is amended to read as follows:

797 740.6 STIRRING UP QUARRELS AND SUITS. If any
798 judge, justice of the peace, clerk of any court,
799 sheriff, [constable,] attorney, or counselor at law,
800 encourage, excite or stir up any action, quarrel,
801 or controversy between two or more persons, with
802 intent to injure such persons, he shall be fined not
803 exceeding five hundred dollars, and shall be answerable
804 to the party injured in treble damages.

805 Sec. 61. Section seven hundred forty-three point
806 four (743.4), Code 1971, is amended to read as follows:

807 743.4 UNLAWFUL ASSEMBLAGES—DISPERSION. When
808 persons to the number of twelve or more, armed with
809 dangerous weapons, or persons to the number of thirty
810 or more, whether armed or not, are unlawfully or
811 riotously assembled in any city or town, any judge,
812 sheriff, and his deputies if they be present, the
813 mayor, aldermen, marshal, [constables,] and justices
814 of the peace of such city or town must go among the
815 persons assembled, or as near them as may be safe,
816 and command them, in the name of the state, immediately
817 to disperse.

818 Sec. 62. Section seven hundred forty-eight point
819 three (748.3), subsection two (2), Code 1971, is
820 amended by striking the subsection.

821 Sec. 63. Section seven hundred sixty-one point
822 three (761.3), Code 1971, is amended to read as
823 follows:

824 761.3 PROCEDURE ON CHANGE. On filing such an
825 affidavit a change of venue must be allowed, and the
826 magistrate must immediately transmit all original
827 papers, and a transcript of the entire record in the
828 case, to the nearest magistrate in the [township, if
829 there be one, if not, to the nearest magistrate in
830 the] county, who shall proceed with said examination
831 as hereinafter provided; but one such change shall
832 be allowed.

833 Sec. 64. Section seven hundred sixty-two point
834 fourteen (762.14), Code 1971, is amended to read as
835 follows:

836 762.14 CHANGE ALLOWED—TRANSMISSION OF PAPERS.
837 If such affidavit be filed, the change of place of
838 trial must be allowed, and the justice must immediately

839 transmit all original papers, and a transcript
 840 of all his docket entries in the case, to the next
 841 nearest justice in the [township] *county or an adjoining*
 842 *county*, unless said justice be a party to the action,
 843 or is related to either party by consanguinity, or
 844 affinity within the fourth degree, or where he has
 845 been attorney for either party in the action or
 846 proceedings; and in such case the justice before whom
 847 such action or proceeding is commenced shall transmit
 848 all the original papers, together with a transcript
 849 of all his docket entries, to [the next nearest] *another*
 850 justice in the county *or adjoining county* against
 851 whom none of the above objections exist, who shall
 852 proceed with the case as provided in this chapter,
 853 but not more than one change of place of trial in the
 854 same case shall be allowed.

855 Sec. 65. Section seven hundred sixty-two point
 856 forty-four (762.44), unnumbered paragraph five (5),
 857 Code 1971, is amended to read as follows:

858 Accepted by me, at, in the [township]
 859 *county* of, this day of
 860, A. D.

861 C..... D.....
 862 Justice of the peace.

863 Sec. 66. Section seven hundred sixty-three point
 864 four (763.4), Code 1971, is amended to read as follows:

865 763.4 FORM OF BAIL BOND. Bail is put in by a
 866 written undertaking, executed by one or more sufficient
 867 sureties (with or without the defendant, in the
 868 discretion of the court, clerk, or magistrate),
 869 accepted by the court, clerk, or magistrate taking
 870 the same, and may be substantially in the following
 871 form:

872 County of
 873 An order having been made on the day of
 874, A.D....., by A..... B.....
 875 a justice of the peace (or other magistrate), of the
 876 [township] *county* of, (or as the case
 877 may be) that C..... D be held
 878 to answer upon a charge of (stating briefly the nature
 879 of the offense), upon which he has been duly admitted
 880 to bail, in the sum of dollars.

881 We, E..... F and G H
 882, hereby undertake that the said C
 883 D, shall appear at the
 884 district court of the county of,
 885 on the day of (month), 19.....
 886 (year) (which date shall not be more than twenty days
 887 after perfection of the undertaking), and answer said
 888 charge, and submit to the orders and judgment of said
 889 court, and not depart without leave of the same, or,
 890 if he fail to perform either of these conditions,
 891 that we will pay to the state of Iowa the sum of
 892dollars (inserting the sum in which
 893 the defendant is admitted to bail).

894 E..... F.....
 895 G..... H.....
 896 Accepted by me as, [in the township
 897 of,] in the county of,
 898 this day of, A. D.
 899
 900 I..... J..... (with official title).
 901 Sec. 67. Sections six hundred one point one hundred
 902 nineteen (601.119), six hundred one point one hundred
 903 twenty-one (601.121), six hundred one point one hundred
 904 twenty-nine (601.129), six hundred one point one
 905 hundred thirty-one (601.131), and six hundred twenty-
 906 six point seventy-six (626.76), Code 1971, are
 907 repealed.
 908 Sec. 68. The effective date of this Act shall
 909 be July 1, 1974. Justices of the peace elected on
 910 the first Tuesday after the first Monday in November
 911 of 1972 shall complete their terms of office. Justices
 912 of the peace shall be elected pursuant to the provi-
 913 sions of this Act on the first Tuesday after the first
 914 Monday in November of 1974.
 915 2. Amend the title, page 1, line 1, by striking
 916 all after the word "Act".
 917 3. Amend the title, page 1, by striking lines
 918 2 through 6, inclusive, and inserting in lieu thereof
 919 the words "justice of the peace, mayor's courts,
 920 police courts, and local law enforcement personnel."

Holden of Scott offered the following amendment to the amendment, from the floor, filed by him and Grassley of Butler and moved its adoption:

Amend the Grassley, et al., amendment to Senate File 428, filed February 15, 1972, as follows:

1. Line 539, by striking the word "fifty" and inserting the word "one".

2. Line 547, by striking the word "two".

3. Line 548, by striking the word "hundred".

4. By striking lines 550 and 551 and inserting in lieu thereof the following:

"7. For hearing not more than one thousand two hundred cases and not less than one thousand one cases, four thousand eight hundred dollars.

8. For hearing not more than one thousand five hundred cases and not less than one thousand two hundred one cases, five thousand four hundred dollars.

9. For hearing not more than two thousand cases and not less than one thousand five hundred one cases, six thousand dollars.

10. For hearing not more than two thousand five hundred cases and not less than two thousand one cases, six thousand six hundred dollars.

11. For hearing not more than three thousand

cases, and not less than two thousand five hundred one cases, seven thousand five hundred dollars.

12. For hearing more than three thousand cases, nine thousand dollars."

The amendment to the amendment was adopted.

(Senate File 428 pending at recess.)

The House was recessed until 1:30 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Harbor in the chair.

The House resumed consideration of the Grassley, et al., amendment as amended.

Grassley of Butler moved the adoption of the Grassley, et al., amendment as amended.

Roll call was requested by Grassley of Butler and Holden of Scott.

Rule 70 was invoked.

On the question "Shall the Grassley, et al., amendment as amended be adopted?"

The ayes were, 49:

Anania	Fisher, C. R.	Middleswart	Siglin
Bennett	Freeman	Millen	Skinner
Bergman	Grassley	Miller	Stokes
Camp	Hamilton	Nielsen	Stromer
Campbell	Holden	Norpel	Strothman
Christensen	Husak	Nystrom	Taylor
Den Herder	Kehe	Radl	Tieden
Doyle	Kruse	Rex	Waugh
Drake	Logemann	Rodgers	Welden
Dunton	McElroy	Sargisson	Winkelman
Edelen	Mendenhall	Schroeder	Wyckoff
Ellsworth	Menefee	Scott	Mr. Speaker
Fischer, H. O.			

The nays were, 48:

Alt	Hansen	Mayberry	Schwieger
Andersen	Hill	McCormick	Shaw
Blouin	Jesse	Moffitt	Small
Bray	Johnston	Mollett	Sorg
Clark	Kelly	Monroe	Stanley
Cochran	Kennedy	Patton	Strand
Curtis	Kinley	Pellett	Trowbridge
Dougherty	Knoke	Pelton	Uban
Egenes	Kreamer	Pierson	Varley
Ewell	Larson	Priebe	Wells
Franklin	Lawson	Schmeiser	Willits
Gluba	Lipsky	Schwartz	Wirtz

Absent or not voting, 3:

Goode Knoblauch Roorda

The amendment as amended was adopted.

(Senate File 428 pending at adjournment.)

MOTION TO RECONSIDER AMENDMENT

(Senate File 428)

I hereby move to reconsider the vote by which the Grassley, Holden, Radl amendment as amended to Senate File 428 was adopted by the House on February 17, 1972.

SKINNER of Polk

BIILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on February 17, 1972, he approved and transmitted to the Secretary of State the following bills:

Senate File 77, an act to repeal the referendum for approval of low-rent housing projects and to substitute an alternate procedure therefor.

Senate File 203, an act relating to administrative rules and regulations.

Senate File 1013, an act relating to the rate of interest on public utility refunds to customers.

Senate File 1023, an act relating to the county motor vehicle registration fees.

REPORTS OF COMMITTEES

Schweiger of Black Hawk, from the committee on transportation, submitted the following report:

MR. SPEAKER: Your committee on transportation, to whom was referred **Senate File 471**, a bill for an act relating to the annual registration fee for urban transit company vehicles, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same **do pass**.

SCHWIEGER of Black Hawk, Chairman

Rex of Hamilton, from the committee on county government, submitted the following report:

MR. SPEAKER: Your committee on county government, to whom was referred **House File 725**, a bill for an act requiring the election of members of county zoning commissions and voter approval of county zoning plans, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same **be amended as follows, and when so amended the bill do pass**:

Amend House File 725 as follows:

1. By striking everything after the enacting clause and inserting in lieu thereof the following:

Section 1. Section three hundred fifty-eight A point eight (358A.8), Code 1971, is amended to read as follows:

358A.8 COMMISSION [APPOINTED] ELECTED. [In order to avail itself of the powers conferred by this chapter, the] *The board of supervisors shall [appoint a commission, to be known as the] provide for the election of a county zoning commission, to recommend the boundaries of the various original districts, and appropriate regulations and restrictions to be enforced therein. Such commission shall, with due diligence, prepare a preliminary report and hold public hearings thereon before submitting its final report; and the board of supervisors shall not hold its public hearings or take action until it has received the final report of such commission. After the adoption of such regulations, restrictions, and boundaries of districts, the zoning commission may, from time to time, recommend to the board of supervisors amendments, supplements, changes or modifications.*

The county zoning commission shall be composed of five members who shall be elected at large to a specified member seat. Each member shall serve a term of four years, except that when commission members are first elected, two members shall serve for a term of two years and three members shall serve for a term of four years. Vacancies shall be filled by appointment by the board of supervisors for the remainder of the unexpired term. The board of supervisors shall provide for the election of the zoning commission at the general election to be held in 1973. The members-elect shall take office on the second secular day of January, 1974, and shall hold office until their successors are elected and qualify.

Sec. 2. Section three hundred fifty-eight A point ten (358A.10), Code 1971, is amended to read as follows:

358A.10 BOARD OF ADJUSTMENT. The board of supervisors shall provide for the appointment of a board of adjustment *whose members shall reside within the county but outside the corporate limits of any city, and in the regulations and restrictions adopted pursuant to the authority of this chapter shall provide that the said board of adjustment may, in appropriate cases, and subject to appropriate conditions and safeguards, make special exceptions to the terms of the ordinances or regulations in harmony with its general purpose and intent and in accordance with the general or specific rules therein contained, and provide that any property owner aggrieved by the action of the board of supervisors in the adoption of such regulations and restrictions may petition the said board of adjustment direct to modify*

regulations and restrictions as applied to such property owners.

Sec. 3. Chapter three hundred fifty-eight A (358A), Code 1971, is amended by adding the following new section:

"Persons elected to the county zoning commission must reside within the county and within an area which is subject to regulation or restriction."

2. Page 1, line 2; by amending the title by striking everything after the word "commissions" and inserting in lieu thereof the following: "and residency of the members of the board of adjustment."

REX of Hamilton, Chairman

Den Herder of Sioux, from the committee on ways and means, submitted the following report:

MR. SPEAKER: Your committee on ways and means to whom was referred **House File 321**, a bill for an act to combine the present county fund for mental health with the state institution fund, redesignating the latter as the county mental health and institutions fund, prescribing the purposes for which such fund may be used, and authorizing a levy therefor, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same **do pass**.

DEN HERDER of Sioux, Chairman

Hansen of Black Hawk, from the committee on higher education, submitted the following report:

MR. SPEAKER: Your committee on higher education, to whom was referred **House File 72**, a bill for an act relating to tuition rates set by the board of regents, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same **do pass**.

HANSEN of Black Hawk, Chairman

AMENDMENTS FILED

- 1 Amend the Senate amendment to House File 48,
- 2 line 10, by striking the words "under escort" and
- 3 inserting in lieu thereof the words "accompanied by
- 4 approved escort vehicles at both the front and the
- 5 rear".

SHAW of Scott

- 1 Amend Senate amendment to House File 48 dated
- 2 February 10, 1972, by inserting after line 118 the
- 3 following new section:
- 4 "Sec. 7. Section three hundred twenty-one
- 5 point four hundred fifty-seven (321.457), subsection
- 6 six (6), Code 1971, is amended as follows:
- 7 No combination of three vehicles coupled
- 8 together one of which is a motor vehicle, unladen
- 9 or with load, shall have an *overall* length, inclusive

10 of front and rear bumpers in excess of sixty-five
11 feet.

12 *A combination of three vehicles in excess of*
13 *sixty feet but not in excess of sixty-five feet may*
14 *be operated only as follows:*

15 1. *With a special length permit issued by the*
16 *Iowa reciprocity board, and*

17 2. *On four-lane highways and to and from points*
18 *within five miles, on the most direct route, of any*
19 *four-lane highway for the purpose of servicing the*
20 *vehicle or picking up or delivering cargo."*

BENNETT of Polk

1 Amend House File 270 as follows:

2 1. By striking from line 6 the word applicable.

3 2. By adding at the end of line 5 the words "and
4 owner".

5 3. By adding the following new section:

6 "Section 2. The term 'reckless operation' shall
7 be governed by the definition contained in
8 Federal Air Regulation Section 91.9 and the
9 interpretations placed thereon by the Federal
10 Aviation Administration and the National
11 Transportation Safety Board."

PELTON of Clinton

1 Amend the committee on social services amendment
2 to House File 743, filed February 9, 1972, as
3 follows:

4 1. By striking the period in line 48 and
5 inserting in lieu thereof the following: " , and of
6 those counties which have approval of the Iowa
7 commission on alcoholism for the implementation of
8 alcoholic procedures and services."

9 2. By inserting after the word "services" in
10 line 59 the words " , pursuant to the provision of
11 chapter one hundred twenty-three B (123B) of the
12 Code".

13 3. By adding after line 67 the following:
14 "The effective date of this act shall be July
15 1, 1973."

KNOKE of Pottawattamie

1 Amend House File 1141 as follows:

2 1. Page 9 by striking line 16 through
3 line 18 and inserting in lieu thereof the words
4 "4. If a violation".

5 2. Page 10 by striking line 20 and in
6 line 21 the words "violation of this chapter", and
7 inserting in lieu thereof the words "such violation
8 was willful".

9 3. Page 10 by striking line 25 through
10 line 27 and inserting in lieu thereof the following:
11 *b. Suspension or revocation of the*
12 *license of a person as defined in section five*

13 *hundred seven B point two (507B.2), subsection one*
 14 *(1) of the Code, if he knew or reasonably should*
 15 *have known he was in violation of section five*
 16 *hundred seven B point four (507B.4) or section*
 17 *five hundred seven B point five (507B.5) of the*
 18 *Code.*

19 4. Page 12, line 13, by striking the
 20 figures 507B.3 and inserting in lieu thereof the
 21 figures "507B.7".

ELLSWORTH of Dubuque

1 Amend the Kinley amendment to House File 1197,
 2 filed on February 16, 1972, and appearing on page
 3 519 of the House Journal, by striking in line 11
 4 the word "a" and inserting in lieu thereof the words
 5 "an ordained".

KINLEY of Polk

1 Amend House File 1197 as follows:
 2 1. Page 7, line 10, by striking the comma and
 3 inserting in lieu thereof a period.
 4 2. Page 7, by striking lines 11 through 20, in-
 5 clusive.
 6 3. Page 7, line 21, by striking the words "in-
 7 clude any levy for debt service funds."

FREEMAN of Buena Vista
 COCHRAN of Webster
 WIRTZ of Palo Alto
 KELLY of Woodbury
 WELLS of Linn
 GLUBA of Scott

1 Amend House File 1197, page 4, line 25, by inserting
 2 after the word "taxation" the words "*, except that if*
 3 *the interest is subject to a lease and the property*
 4 *was acquired prior to January 1, 1972, by the person*
 5 *formerly entitled to the exemption, the property shall*
 6 *not be subject to assessment and levy until the*
 7 *assessment year 1979*".

DOYLE of Woodbury

1 Amend House File 1197, page 4, line 25, by insert-
 2 ing after the word "taxation" the words "*, except that*
 3 *if the interest is subject to a lease and the property*
 4 *was acquired prior to January 1, 1972, by the person*
 5 *formerly entitled to the exemption, the property shall*
 6 *be subject to assessment and levy gradually at the*
 7 *rate of ten percent of its assessed value each year,*
 8 *so that the entire assessed value of the property will*
 9 *be subject to assessment and levy in the assessment*
 10 *year 1982*".

ANDERSEN of Woodbury
 DOYLE of Woodbury

1 Amend House File 1213 as follows:

2 1. Page 1, by striking all of lines 7 and 8 and
3 inserting in lieu thereof the following: "cal year
4 beginning July 1, 1971 and ending June 30, 1972, the
5 sum of eight thousand (8,000) dollars, and for the
6 fiscal year beginning July 1, 1972 and ending June
7 30, 1973, the sum of seventeen thousand (17,000)
8 dollars, or so much".

9 2. Page 1, by inserting after line 23 the
10 following new section:

11 "Sec. 2. This Act, being deemed of immediate
12 importance, shall take effect and be in force from
13 and after its publication in The DeWitt Observer,
14 a newspaper published in DeWitt, Iowa, and The
15 Guttenburg Press, a newspaper published in
16 Guttenburg, Iowa.

CAMP of Clinton

1 Amend Senate File 260, as amended and passed by
2 the Senate, on page 3, by inserting after line 27 the
3 following new section:

4 "Sec. If a tax levy has been authorized under
5 section five (5) of this Act, the county board of super-
6 visors shall, upon receipt of a petition signed by at
7 least one hundred owners and tenants of agricultural
8 land located in the county, submit to the owners and
9 tenants of agricultural land at any general election or
10 special election called for that purpose the following
11 question: 'Shall the power to levy a tax for the admin-
12 istration of an artificial weather modification program
13 be canceled?' Notice of the date and time of election
14 and the question to be voted upon shall be published
15 each week for two consecutive weeks in a newspaper of
16 general circulation throughout the county. If a majority
17 of the agricultural landowners and tenants voting favor
18 the question, no further tax levy as provided in section
19 six (6) of this Act shall be made."

STOKES of Plymouth

1 Amend the Schroeder of Pottawattamie amendment to
2 Senate File 334, filed February 10, 1972, by striking
3 all of lines 2 and 3 and inserting in lieu thereof
4 the following:

5 "1. Page 3, by striking from line 5 the words
6 "confections, cookies, crackers,".

SMALL of Johnson

1 Amend the committee on judiciary amendment to
2 Senate File 428, as amended, passed and reprinted by
3 the Senate as follows:

4 1. By adding after line 442 the following new
5 section:

6 "Sec. FAILURE TO APPEAR. Any person who
7 willfully fails to appear in court as specified by the
8 citation shall be guilty of a misdemeanor and upon

9 conviction shall be punished by a fine of not more
10 than five hundred dollars or by imprisonment in the
11 county jail not exceeding three months, or by both
12 such fine and imprisonment."

KNOKE of Pottawattamie

1 Amend the Doyle, Andersen, Sargisson, and Kelly
2 amendment to Senate File 428 by striking the words
3 "judge or magistrate" in line 5 and inserting in lieu
4 thereof the words "municipal judge".

DOYLE of Woodbury

1 Amend the committee on judiciary amendment
2 to Senate File 428 filed February 8, 1972 as follows:
3 Line 84, by adding after the period the follow-
4 ing: "Notwithstanding any other provision of law,
5 if any person, who was a municipal court judge and
6 who was displaced pursuant to the provisions of
7 this Act, is a resident of a district entitled to
8 receive an additional judgeship, such a person
9 shall become the district judge of the district
10 entitled to the additional judgeship."

HANSEN of Black Hawk
ELLSWORTH of Dubuque

1 Amend Senate File 428, as passed, amended, and
2 reprinted by the House, by inserting the following new
3 section on page 79A after line 23:
4 "Sec. The governor may appoint a person to serve
5 as a judge or magistrate whenever federal funds are avail-
6 able for his salary, the cost of courtroom space, and the
7 salary of any additional court staff. The person ap-
8 pointed by the governor shall fill the position until
9 his successor is appointed or until federal funds are no
10 longer available as required in this section. The person
11 appointed under this section shall hear all cases which
12 are directly related to the use of alcohol and any
13 prosecution under section three hundred twenty-one point
14 two hundred eighty-one (321.281) of the Code may be
15 transferred within the judicial district to the jurisdic-
16 tion of the person appointed under this section."

DOYLE of Woodbury
ANDERSEN of Woodbury
SARGISSON of Woodbury
KELLY of Woodbury

1 Amend Senate File 428 as amended and passed by the Senate
2 and reprinted, page 53A, by striking lines 12 through 14
3 inclusive.

FISCHER of Grundy

1 Amend the committee on judiciary amendment to
2 Senate File 428, as amended, passed, and reprinted by
3 the Senate, as follows:

4 1. By striking lines 399 through 409, inclusive,
5 and inserting in lieu thereof the following:
6 "their last known addresses. Elective clerks and
7 elective bailiffs of municipal courts who are in
8 office on June 30, 1973, and municipal court deputy
9 clerks and deputy bailiffs who are in office on that
10 date, shall on July 1, 1973, become deputies of the
11 district court clerks and sheriffs respectively, in
12 the counties of their residence. The compensation
13 and other benefits of the individuals who so become
14 deputies shall not be reduced after June 30, 1973,
15 from the amount on that date, but shall be paid by
16 the counties of their residence; provided, that if
17 the salary of any deputy equals or exceeds the salary
18 of the district court clerk or sheriff of whom he is
19 deputy, then the salary of the particular district
20 court clerk or sheriff shall be increased so as to
21 exceed the salary of the deputy by the sum of two
22 hundred dollars per year.

23 The individuals who were elective municipal court
24 clerks and bailiffs on June 30, 1973, and who were
25 municipal court deputy clerks and deputy bailiffs on
26 that date, may as deputies of the district court
27 clerks and sheriffs be suspended, demoted, or dis-
28 charged by the district court clerks and sheriffs
29 only for neglect of duty, disobedience of orders,
30 misconduct, or failure to properly perform duties, by
31 pursuing the procedure provided by sections three
32 hundred sixty-five point nineteen (365.19) through
33 three hundred sixty-five point twenty-six (365.26),
34 inclusive, of the Code; and in these cases the dis-
35 trict court clerk or sheriff shall be deemed to be
36 the person having the appointing power, the county
37 auditor shall perform the functions of the mayor or
38 city manager, the board of supervisors shall perform
39 the functions of the civil service commission, and
40 the county attorney shall perform the functions of
41 the city attorney or solicitor.

42 All elective clerks and bailiffs of the municipal
43 court holding office on July 1, 1973 shall continue
44 in office until their terms expire. The clerk of the
45 district court and the sheriff of the county in
46 hiring additional deputies made necessary as a result
47 of this Act shall give preference to the elective
48 clerks and elective bailiffs of municipal courts and
49 their respective deputies and employees who are in
50 office on December 31, 1972.

51 A municipal court bailiff and his deputies who
52 on December 31, 1972 are members of the retirement
53 system provided by chapter four hundred eleven (411)
54 of the Code shall continue to be such members there-
55 after; and that chapter shall continue to apply to
56 them notwithstanding this Act, with the county in
57 question deducting from their compensation their
58 contributions to the retirement fund and the city

59 in question contributing the public's portion to
60 such fund."

HANSEN of Black Hawk
ELLSWORTH of Dubuque

1 Amend Senate File 428 as amended, passed, and re-
2 printed by the Senate as follows:

3 1. Page 22, by adding after line 20, the following
4 new sections:

5 "Sec. Chapter two hundred sixty-one (261),
6 section two (2), Acts of the Sixty-fourth General
7 Assembly, First Session, amending section forty-six
8 point three (46.3), Code 1971, is amended by striking
9 the section and inserting in lieu thereof the following:
10 46.3 APPOINTMENT OF DISTRICT JUDICIAL NOMINATING
11 COMMISSIONERS. In January 1973 the governor shall ap-
12 point five electors of each judicial election district
13 to the district judicial nominating commission for terms
14 commencing February 1, 1973. He shall appoint two such
15 commissioners to serve until January 31, 1975, two to
16 serve until January 31, 1977, and one to serve until
17 January 31, 1979. In the month of January when each
18 of those terms expire and every six years thereafter
19 the governor shall appoint district judicial nominating
20 commissioners for six-year terms. In no event shall
21 more than three-fifths of the commissioners so appointed
22 within a particular judicial district belong to the
23 same political party.

24 This section shall take effect January 1, 1973."

25 "Sec. Chapter two hundred sixty-one (261),
26 section three (3), Acts of the Sixty-fourth General
27 Assembly, First Session, amending section forty-six
28 point four (46.4), Code 1971, is amended to read as
29 follows:

30 46.4 ELECTION OF DISTRICT JUDICIAL NOMINATING
COM-

31 MISSIONERS. In January [1972] 1973 the resident members
32 of the bar of each judicial election district shall
33 elect five electors of the district to the district
34 judicial nominating commission for terms commencing
35 February 1, [1972] 1973. One of such commissioners shall
36 serve until January 31, [1974] 1975, two until January
37 31, [1976] 1977, and two until January 31, [1978] 1979,
38 as determined by lot by such commissioners. In the
39 month of January when each of those terms expire and
40 every six years thereafter such members of the bar of
41 the respective judicial election districts shall elect
42 district nominating commissioners for six-year terms.

43 This section shall take effect January 1, 1973."

44 "Sec. TERMINATION OF OFFICE OF PRESENT COMMIS-
45 SIONERS. The terms of office of all district judicial
46 nominating commissioners in Iowa who are in office on
47 December 31, 1972, shall terminate on that date.

48 This section shall take effect July 1, 1972."

JESSE of Polk

1 Amend Senate File 1008, as amended and passed by
2 the Senate and reprinted, page 4, by striking from
3 line 21 the words "A state", all of lines 23 through
4 34, and through the word "complex." in line 35.

SMALL of Johnson

1 Amend Senate File 1008 as amended and passed by the
2 Senate and reprinted, as follows:

3 1. Page 4, line 16, by inserting after the word
4 "corporation" the words ", except in situations where
5 subsection four (4) of this section is applicable".

6 2. Page 4, line 21, by striking the word "A" and
7 inserting in lieu thereof the words "Except as other-
8 wise provided in subsection three (3) of this section,
9 a".

10 3. Page 5, by inserting after line 4 the following
11 new subsections:

12 "3. The superintendent shall not approve the loca-
13 tion of any new bank office, or the relocation of any
14 existing bank office, in any municipal corporation
15 which is part of an urban complex as defined in sub-
16 section two (2) of this section, and in which fewer
17 than three chartered banks have their principal places
18 of business, by any bank whose principal place of
19 business is located outside that municipal corporation,
20 for a period of two years after the effective date of
21 this Act. During such period, if any applications for
22 new bank charters in that municipal corporation are
23 submitted by reputable groups of incorporators none of
24 whom are engaged in the business of banking as owners
25 of an interest in any bank having its principal place
26 of business in the urban complex of which the municipal
27 corporation is a part, and who have complied with all
28 applicable requirements of this chapter, at least one
29 such application shall be approved unless the super-
30 intendent finds in writing that the municipal corpora-
31 tion is receiving adequate banking services from
32 existing banks or bank offices. Where such a finding
33 has been made, no bank office shall thereafter be
34 located or relocated in that municipal corporation by
35 a bank which has its principal place of business out-
36 side that municipal corporation unless the superin-
37 tendent first gives one year's public notice of intent
38 to approve such location or relocation of a bank
39 office. If during the one year period following such
40 notice any applications for new bank charters in that
41 municipal corporation are submitted by reputable groups
42 of incorporators meeting all qualifications previously
43 set forth in this subsection, at least one such appli-
44 cation shall be approved unless the superintendent
45 finds in writing that the need for increased avail-
46 ability of banking services is not sufficient to sup-
47 port a new chartered bank. Any such finding shall be
48 subject to judicial review, but the decision of the
49 superintendent shall be upheld unless unsupported by

50 substantial evidence.

51 4. Any bank office located or relocated after
52 July 1, 1972 in a municipal corporation which is part
53 of an urban complex as defined by subsection two (2) of
54 this section, by a bank which has its principal place
55 of business outside that municipal corporation, shall
56 be removed from that municipal corporation within one
57 year of the chartering of any new bank therein, if the
58 continued operation of such bank office there would
59 result in the municipal corporation having more than
60 one bank or bank office for each five thousand inhabi-
61 tants or major fraction thereof."

SMALL of Johnson
GLUBA of Scott

On motion by Varley of Adair, the House adjourned until
9:00 a.m., Friday, February 18, 1972.

JOURNAL OF THE HOUSE

Fortieth Calendar Day—Thirtieth Session Day

HALL OF THE HOUSE OF REPRESENTATIVES
DES MOINES, IOWA, FRIDAY, FEBRUARY 18, 1972

The House met pursuant to adjournment, Speaker Harbor in the chair.

Prayer was offered by the Reverend Harry Strong, pastor of the United Presbyterian Church, Denison, Iowa.

The Journal of Thursday, February 17, 1972, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Charles Wilson, Manson, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Bennett of Polk on request of Kinley of Polk; Holden of Scott on request of Mendenhall of Allamakee; Kruse of O'Brien on request of Bergman of Osceola; Egenes of Story on request of McElroy of Fremont.

BIRTHDAY CONGRATULATIONS

Wirtz of Palo Alto rose on a point of personal privilege and on behalf of the House extended to the Honorable D. Vincent Mayberry a "Happy Birthday."

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Forty-seven senior students from the Iowa School for the Deaf, Council Bluffs, Iowa, accompanied by Gene Hines and Gene Stuart. By Knoke of Pottawattamie and Schroeder of Pottawattamie.

Twenty-seven eighth grade students from Trinity Lutheran School, Davenport, Iowa, accompanied by Walter Paul, principal. By Shaw of Scott.

Twenty-seven fifth grade students from Maple Grove School,

Des Moines, Iowa, accompanied by Marcia Ohde. By Kinley of Polk.

Thirty-two fourth grade students from Perry, Iowa, accompanied by Mrs. Hart. By Rodgers of Dallas.

PETITIONS FILED

The following petitions were received and placed on file:

By Norpel of Jackson from fifty-six residents of Jackson County and Schwartz of Wapello from three hundred residents opposing Senate File 356, relating to permits to carry concealed weapons.

ADOPTION OF COMMITTEE REPORTS

The Chief Clerk announced the adoption of reports of committees on House Files 72, 321, 725 and Senate File 471, under Rule 35.

INTRODUCTION OF BILLS

House File 1230, by Egenes (Van Drie), a bill for an act authorizing shuttle carrier service without a certificate of public convenience and necessity.

Read first time and referred to committee on **commerce**.

House File 1231, by Kelly and Larson, a bill for an act to regulate private trade, business, and correspondence schools and to provide a penalty.

Read first time and referred to committee on **higher education**.

House File 1232, by Nystrom, a bill for an act relating to leave of absence by reason of sickness or injury for state employees.

Read first time and referred to committee on **state government**.

House File 1233, by Tieden, a bill for an act relating to the designation of protected water areas.

Read first time and referred to committee on **conservation and recreation**.

House File 1234, by Winkelman, a bill for an act establish a rural physicians associate program and to provide an appropriation therefor.

Read first time and referred to committee on **appropriations**.

House File 1235, by committee on conservation and recreation, a bill for an act relating to deer-hunting licenses.

Read first time and placed on the calendar.

House File 1236, by Shaw and Knoke (Kennedy), a bill for an act establishing a workmen's compensation court, amending related sections, providing penalties and amending penal sections.

Read first time and referred to committee on judiciary.

House File 1237, by Small, a bill for an act relating to abandoned railroad right-of-way.

Read first time and referred to committee on commerce.

House File 1238, by Gluba, a bill for an act relating to the road use tax fund.

Read first time and referred to committee on ways and means.

SENATE MESSAGES CONSIDERED

Senate File 566, a bill for an act relating to private employment agency fees and appeals from decisions of the labor commissioner.

Read first time and referred to committee on human and industrial relations.

Senate File 1066, a bill for an act relating to penalties for the commission of or the attempt to commit certain crimes when armed with firearms or knives.

Read first time and referred to committee on law enforcement.

Senate File 1088, a bill for an act relating to classification of claims against estates.

Read first time and referred to committee on judiciary.

Senate File 1091, a bill for an act making an appropriation to the department of public instruction for the purpose of participating in certain federal programs.

Read first time and referred to committee on appropriations.

MESSAGES FROM THE SENATE

The following message was received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the

Senate has concurred in the House amendment to the Senate amendment and passed:

House File 412, a bill for an act relating to administrative rules of departments of the state.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File 684, a bill for an act relating to the enforcement of the fuel tax laws.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File 184, a bill for an act relating to the licensing and regulation of hearing aid dealers.

Also: That the President of the Senate has appointed as members of the conference committee on Senate File 85, a bill for an act creating a department of environmental quality, on the part of the Senate: the Senator from Warren, Mr. Laverty, chairman; the Senator from Cerro Gordo, Mr. Curran; the Senator from Linn, Mr. Robinson; and the Senator from Washington, Mr. Stephens.

CARROLL A. LANE, Secretary of the Senate

HOUSE CONCURRENT RESOLUTION 114

By Freeman

Whereas, local passenger train service is presently almost nonexistent; and

Whereas, the need for passenger train service in certain areas of the state of Iowa is apparent; and

Whereas, the state of Iowa could provide a great service to many citizens of Iowa if an agreement could be negotiated with the Illinois Central Railroad to provide passenger train service from Dubuque, Iowa to Sioux City, Iowa, *Now, Therefore*,

Be It Resolved by the House of Representatives, the Senate Concurring, That a study committee shall be created by the legislative council for the purpose of studying the feasibility and need for providing railroad passenger service in the state of Iowa and for the purpose of determining if it is possible to negotiate an agreement with the Illinois Central Railroad for providing railroad passenger service from Dubuque, Iowa to Sioux City, Iowa and determining the conditions under which such an agreement might be concluded; and

Be It Further Resolved, That the committee shall submit a report to the legislative council and the members of the General Assembly meeting in the year 1973, accompanied by necessary bill drafts to carry out the recommendations of the study committee.

Laid over under Rule 25.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 112

Millen of Van Buren called up for consideration **House Concurrent Resolution 112** filed on February 16, 1972, and found on page 497 of the House Journal, and moved its adoption.

Motion prevailed and the resolution was adopted.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 107

Den Herder of Sioux called up for consideration **House Concurrent Resolution 107** filed on February 3, 1972, and found on page 273 of the House Journal, and moved its adoption.

Motion prevailed and the resolution was adopted.

ADOPTION OF THE
REPORT OF THE CONFERENCE COMMITTEE
(Senate File 392)

Strothman of Henry called up for consideration the conference committee report on **Senate File 392**, a bill for an act relating to eradication of hog cholera and the control and eradication of the swine diseases, as follows:

REPORT OF THE CONFERENCE COMMITTEE
ON SENATE FILE 392

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to consider the difference between the Senate and the House of Representatives on Senate File 392, a bill for an act relating to the eradication of hog cholera and the control and eradication of the swine diseases, respectfully submit the following recommendations:

1. That the House of Representatives recede from its amendments.
2. That Senate File 392 as amended, passed, and reprinted by the Senate be amended as follows:

- a. Page 4A, line 5, by inserting after the period the following:

"The department shall make ear tags available at convenient locations within each county and shall sell such tags at a price not exceeding the cost to producers and others to comply with this section."

- b. Page 4A, line 19, by inserting after the period the following:

"All such movement of swine shall be completed within seventy-two hours unless an extension of time for movement is granted by the department."

- c. Page 4A, line 27, by inserting after the period the following:

"In addition, native Iowa swine moved from farm to farm may be excepted from the identification requirement if the seller and purchaser sign a statement providing that feeder pigs will not be comingled for a period of thirty days and such fact is stated on the health certificate."

On the Part of the Senate:
RICHARD L. STEPHENS,
Chairman
ROGER SHAFF
BASS VAN GILST

On the Part of the House:
CHARLES F. STROTHMAN,
Chairman
LaVERNE SCHROEDER
JOHN CAMP
KEITH DUNTON

Strothman of Henry moved the adoption of the conference committee report and the amendments contained therein.

The motion prevailed and the report was adopted.

Strothman of Henry moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 392)

The ayes were, 74:

Alt	Fisher, C. R.	Menefee	Siglin
Anania	Gluba	Middleswart	Sorg
Andersen	Grassley	Millen	Stanley
Bergman	Hamilton	Miller	Stokes
Blouin	Hansen	Moffitt	Strand
Bray	Hill	Nielsen	Stromer
Camp	Husak	Norpel	Strothman
Campbell	Kehe	Nystrom	Taylor
Christensen	Kelly	Pellett	Tieden
Clark	Kinley	Pierson	Trowbridge
Cochran	Knoke	Priebe	Varley
Curtis	Kreamer	Radl	Waugh
Dougherty	Larson	Rex	Welden
Doyle	Lawson	Rodgers	Wells
Drake	Lipsky	Roorda	Willits
Dunton	Logemann	Schroeder	Winkelman
Edelen	McCormick	Schwartz	Wyckoff
Ellsworth	McElroy	Scott	Mr. Speaker
Fischer, H. O.	Mendenhall		

The nays were, 6:

Den Herder	Mayberry	Schmeiser	Small
Johnston	Monroe		

Absent or not voting, 20:

Bennett	Goode	Kruse	Schwieger
Egenes	Holden	Mollett	Shaw
Ewell	Jesse	Patton	Skinner
Franklin	Kennedy	Pelton	Uban
Freeman	Knoblauch	Sargisson	Wirtz

The bill having received a constitutional majority was declared to have repassed the House and the title was agreed to.

HOUSE FILE 1067 WITHDRAWN

Pellett of Cass asked and received unanimous consent to withdraw House File 1067 from further consideration by the House.

CONSIDERATION OF BILLS

REGULAR CALENDAR

The House resumed consideration of **Senate File 334**, a bill for an act relating to the vending of foods and beverages and providing a penalty, and the following amendment filed by Schroeder of Pottawattamie:

Amend Senate File 334 as follows:

1. Page 3, line 4, by striking all after the period and all of lines 5 through 10.
2. Page 3, by striking all after the word "collect" in line 24 and all of lines 25 through 35 and inserting in lieu thereof the following: "two dollars for each vending machine operated."
3. Page 4, by striking lines 1 and 2.

Division of the amendment was requested.

Small of Johnson offered the following amendment to amendment 1, lines 1 through 3 of the Schroeder amendment and moved its adoption:

Amend the Schroeder of Pottawattamie amendment to Senate File 334, filed February 10, 1972, by striking all of lines 2 and 3 and inserting in lieu thereof the following:

- "1. Page 3, by striking from line 5 the words "confections, cookies, crackers,".

The amendment to the amendment was adopted.

Schroeder of Pottawattamie moved the adoption of amendment 1, lines 1 through 3 of his amendment as amended.

Amendment 1 as amended was adopted.

Schroeder of Pottawattamie moved the adoption of amendments 2 and 3, lines 4 through 9 of his amendment.

A non-record roll call was requested.

The ayes were 35, nays 32.

Amendments 2 and 3 of the amendment were adopted.

Pierson of Mahaska moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 334)

The ayes were, 79:

Alt	Grassley	Menefee	Small
Anania	Hamilton	Middleswart	Sorg
Andersen	Hansen	Millen	Stanley
Bergman	Hill	Miller	Stokes
Camp	Husak	Moffitt	Strand
Christensen	Jesse	Nielsen	Stromer
Cochran	Johnston	Norpel	Strothman
Curtis	Kehe	Nystrom	Taylor
Den Herder	Kelly	Pierson	Tieden
Dougherty	Kennedy	Priebe	Trowbridge
Doyle	Kinley	Radl	Varley
Drake	Knoke	Rex	Waugh
Dunton	Kreamer	Rodgers	Welden
Edelen	Larson	Roorda	Wells
Ellsworth	Lipsky	Schmeiser	Willits
Fischer, H. O.	Logemann	Schroeder	Winkelman
Fisher, C. R.	Mayberry	Schwartz	Wirtz
Franklin	McCormick	Schwieger	Wyckoff
Freeman	McElroy	Scott	Mr. Speaker
Gluba	Mendenhall	Siglin	

The nays were, 5:

Blouin	Campbell	Clark	Pellett
Bray			

Absent or not voting, 16:

Bennett	Holden	Mollett	Sargisson
Egenes	Knoblauch	Monroe	Shaw
Ewell	Kruse	Patton	Skinner
Goode	Lawson	Pelton	Uban

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

Speaker pro tempore Millen in the chair at 10:00 a.m.

The House resumed consideration of **Senate File 202**, a bill for an act relating to changing of names by individuals.

Lipsky of Linn offered the following amendment filed by Shaw of Scott and moved its adoption:

Amend Senate File 202 as follows:

1. Page 2, line 30, by striking the word "wife" and inserting in lieu thereof the words "or her spouse".
2. Page 2, line 31, by inserting after the word "file" the words "his or".

The amendment was adopted.

Johnston of Johnson offered the following amendment filed by him:

Amend Senate File 202, as passed by the Senate, as follows:

1. By adding thereto the following new section after section 12:

“The surname of such new name shall become the legal surname of the wife and minor children of such person.”

2. By renumbering the subsequent sections.

Lipsky of Linn offered the following amendment to the amendment and moved its adoption:

Amend the amendment by Johnston of Johnson to Senate File 202 in line 5 by striking the word “shall” and substituting in lieu thereof the word “may.”

The amendment to the amendment was adopted.

Bergman of Osceola offered the following amendment to the amendment and moved its adoption:

Amend the Johnston of Johnson amendment to Senate File 202, filed March 29, 1971, line 6, by striking the word “wife” and inserting in lieu thereof the word “spouse”.

The amendment to the amendment was adopted.

Johnston of Johnson moved the adoption of his amendment as amended.

The amendment as amended was adopted.

Priebe of Kossuth offered the following amendment from the floor and moved its adoption:

Amend Senate File 202, page 3, line 15, by inserting after the word “recorder” the words “and county auditor”.

The amendment was adopted.

Bergman of Osceola moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question “Shall the bill pass?” (S. F. 202)

The ayes were, 48:

- | | | | |
|---------------|----------|------------|-------------|
| Alt | Franklin | Lipsky | Schmeiser |
| Andersen | Gluba | Mayberry | Schwartz |
| Bergman | Grassley | McCormick | Small |
| Blouin | Hamilton | Mendenhall | Stanley |
| Bray | Jesse | Moffitt | Stokes |
| Clark | Johnston | Monroe | Trowbridge |
| Cochran | Kehe | Nielsen | Varley |
| Dougherty | Kelly | Nystrom | Waugh |
| Doyle | Kennedy | Pierson | Willits |
| Drake | Kinley | Priebe | Winkelman |
| Dunton | Kreamer | Rex | Mr. Speaker |
| Ellsworth | Larson | Rodgers | (Millen) |
| Fisher, C. R. | | | |

The nays were, 28:

Anania	Freeman	Miller	Sorg
Camp	Husak	Norpel	Strothman
Campbell	Knoke	Pellett	Taylor
Christensen	Logemann	Radl	Tieden
Curtis	McElroy	Roorda	Welden
Den Herder	Menefee	Scott	Wells
Fischer, H. O.	Middleswart	Sigliin	Wyckoff

Absent or not voting, 24:

Bennett	Harbor	Mollett	Shaw
Edelen	Hill	Patton	Skinner
Egenes	Holden	Pelton	Strand
Ewell	Knoblauch	Sargisson	Stromer
Goode	Kruse	Schroeder	Uban
Hansen	Lawson	Schwieger	Wirtz

The bill having failed to receive a constitutional majority was declared to have failed to have passed the House.

MOTION TO RECONSIDER
(Senate File 202)

I move to reconsider the vote by which Senate File 202 failed to pass the House on February 18, 1972.

CAMPBELL of Washington

Speaker Harbor in the chair at 10:25 a.m.

The House resumed consideration of **House File 1127**, a bill for an act relating to the possession and consumption of alcoholic liquors and beer on school grounds.

Priebe of Kossuth offered the following amendment filed by him and moved its adoption:

Amend House File 1127 as follows:

Further amend the title by striking all after the word "possession" and inserting in lieu thereof the words "or consumption of alcoholic liquors or beer on public school property or while attending school-related functions."

The amendment was adopted.

Logemann of Worth moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1127)

The ayes were, 72:

Alt	Christensen	Doyle	Freeman
Anania	Clark	Drake	Gluba
Andersen	Cochran	Dunton	Grassley
Bergman	Curtis	Ellsworth	Hamilton
Camp	Den Herder	Fischer, H. O.	Hansen
Campbell	Dougherty	Fisher, C. R.	Hill

Husak	Middleswart	Rodgers	Stromer
Johnston	Millen	Roorda	Strothman
Kelly	Miller	Schmeiser	Taylor
Kinley	Moffitt	Schwartz	Tieden
Kreamer	Nielsen	Schwieger	Trowbridge
Lipsky	Norpel	Scott	Varley
Logemann	Nystrom	Siglin	Waugh
Mayberry	Pellett	Small	Wells
McCormick	Pierson	Sorg	Willits
McElroy	Priebe	Stanley	Winkelman
Mendenhall	Radl	Stokes	Wyckoff
Menefee	Rex	Strand	Mr. Speaker

The nays were, 7:

Blouin	Franklin	Kehe	Welden
Bray	Jesse	Larson	

Absent or not voting, 21:

Bennett	Kennedy	Mollett	Schroeder
Edelen	Knoblauch	Monroe	Shaw
Egenes	Knoke	Patton	Skinner
Ewell	Kruse	Pelton	Uban
Goode	Lawson	Sargisson	Wirtz
Holden			

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

Speaker pro tempore Millen in the chair at 10:35 a.m.

NONCONTROVERSIAL CALENDAR

House File 1199, a bill for an act to clarify legal settlement of minor children residing in institutions, was taken up for consideration.

Andersen of Woodbury moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1199)

The ayes were, 80:

Alt	Dunton	Kelly	Nielsen
Anania	Ellsworth	Kinley	Norpel
Andersen	Fischer, H. O.	Knoke	Nystrom
Bergman	Fisher, C. R.	Kreamer	Pellett
Blouin	Franklin	Larson	Pierson
Bray	Freeman	Lawson	Priebe
Camp	Gluba	Lipsky	Radl
Campbell	Grassley	Mayberry	Rex
Christensen	Hamilton	McCormick	Rodgers
Clark	Hansen	McElroy	Roorda
Cochran	Harbor	Mendenhall	Schmeiser
Curtis	Hill	Menefee	Schroeder
Dougherty	Husak	Middleswart	Schwartz
Doyle	Jesse	Miller	Schwieger
Drake	Johnston	Moffitt	Scott

Siglin	Stromer	Varley	Winkelman
Small	Strothman	Waugh	Wirtz
Sorg	Taylor	Welden	Wyckoff
Stanley	Tieden	Wells	Mr. Speaker
Stokes	Trowbridge	Willits	(Millen)
Strand			

The nays were, none.

Absent or not voting, 20:

Bennett	Goode	Kruse	Pelton
Den Herder	Holden	Logemann	Sargisson
Edelen	Kehe	Mollett	Shaw
Egenes	Kennedy	Monroe	Skinner
Ewell	Knoblauch	Patton	Uban

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

House File 1203, a bill for an act relating to erroneous and obsolete references in the Code of Iowa, was taken up for consideration.

Hill of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1203)

The ayes were, 81:

Alt	Gluba	Mendenhall	Siglin
Anania	Grassley	Menefee	Small
Andersen	Hamilton	Middleswart	Stanley
Bergman	Hansen	Miller	Stokes
Blouin	Harbor	Moffitt	Strand
Bray	Hill	Nielsen	Stromer
Camp	Husak	Norpel	Strothman
Campbell	Jesse	Nystrom	Taylor
Christensen	Johnston	Pellett	Tieden
Clark	Kehe	Pierson	Trowbridge
Cochran	Kelly	Priebe	Varley
Curtis	Kinley	Radl	Waugh
Dougherty	Knoke	Rex	Welden
Doyle	Kreamer	Rodgers	Wells
Drake	Larson	Roorda	Willits
Dunton	Lawson	Schmeiser	Winkelman
Ellsworth	Lipsky	Schroeder	Wirtz
Fischer, H. O.	Logemann	Schwartz	Wyckoff
Fisher, C. R.	Mayberry	Schwieger	Mr. Speaker
Franklin	McCormick	Scott	(Millen)
Freeman	McElroy		

The nays were, none.

Absent or not voting, 19:

Bennett	Goode	Mollett	Shaw
Den Herder	Holden	Monroe	Skinner
Edelen	Kennedy	Patton	Sorg
Egenes	Knoblauch	Pelton	Uban
Ewell	Kruse	Sargisson	

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

House File 1200, a bill for an act relating to postmortem examinations, was taken up for consideration.

Clark of Lee moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1200)

The ayes were, 80:

Alt	Gluba	Mendenhall	Small
Anania	Grassley	Menefee	Sorg
Andersen	Hamilton	Middleswart	Stanley
Blouin	Hansen	Miller	Stokes
Bray	Harbor	Moffitt	Strand
Camp	Hill	Nielsen	Stromer
Campbell	Husak	Norpel	Strothman
Christensen	Jesse	Nystrom	Taylor
Clark	Johnston	Pellett	Tieden
Cochran	Kehe	Pierson	Trowbridge
Curtis	Kelly	Priebe	Varley
Den Herder	Kinley	Radl	Waugh
Dougherty	Knoke	Rex	Welden
Doyle	Kreamer	Rodgers	Wells
Drake	Larson	Roorda	Willits
Dunton	Lawson	Schmeiser	Winkelman
Ellsworth	Lipsky	Schwartz	Wirtz
Fischer, H. O.	Logemann	Schwieger	Wyckoff
Fisher, C. R.	McCormick	Scott	Mr. Speaker
Franklin	McElroy	Siglin	(Millen)
Freeman			

The nays were, none.

Absent or not voting, 20:

Bennett	Goode	Mayberry	Sargisson
Bergman	Holden	Mollett	Schroeder
Edelen	Kennedy	Monroe	Shaw
Egenes	Knoblauch	Patton	Skinner
Ewell	Kruse	Pelton	Uban

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

House File 1039, a bill for an act relating to the issuance of new birth certificates for persons born outside the United States and adopted in Iowa, with report of committee recommending passage, was taken up for consideration.

Clark of Lee moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1039)

The ayes were, 79:

Alt	Freeman	McElroy	Small
Anania	Gluba	Mendenhall	Sorg
Andersen	Grassley	Menefee	Stanley
Blouin	Hamilton	Middleswart	Stokes
Bray	Hansen	Miller	Strand
Camp	Harbor	Moffitt	Stromer
Campbell	Hill	Nielsen	Strothman
Christensen	Husak	Norpel	Taylor
Clark	Jesse	Nystrom	Tieden
Cochran	Johnston	Pellett	Trowbridge
Curtis	Kehe	Pierson	Varley
Den Herder	Kelly	Priebe	Waugh
Dougherty	Kinley	Radl	Welden
Doyle	Knoke	Rex	Wells
Drake	Kreamer	Rodgers	Willits
Dunton	Larson	Roorda	Winkelman
Ellsworth	Lipsky	Schmeiser	Wirtz
Fischer, H. O.	Logemann	Schwartz	Wyckoff
Fisher, C. R.	Mayberry	Scott	Mr. Speaker
Franklin	McCormick	Siglin	(Millen)

The nays were, none.

Absent or not voting, 21:

Bennett	Holden	Mollett	Schroeder
Bergman	Kennedy	Monroe	Schwieger
Edelen	Knoblauch	Patton	Shaw
Egenes	Kruse	Pelton	Skinner
Ewell	Lawson	Sargisson	Uban
Goode			

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

House File 1042, a bill for an act relating to time served on parole, with report of committee recommending passage, was taken up for consideration.

Kelly of Woodbury moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1042)

The ayes were, 77:

Alt	Dougherty	Harbor	McCormick
Anania	Doyle	Hill	McElroy
Andersen	Drake	Husak	Mendenhall
Blouin	Dunton	Jesse	Menefee
Bray	Ellsworth	Johnston	Middleswart
Camp	Fisher, C. R.	Kehe	Miller
Campbell	Franklin	Kelly	Moffitt
Christensen	Freeman	Kinley	Nielsen
Clark	Gluba	Knoke	Norpel
Cochran	Grassley	Larson	Nystrom
Curtis	Hamilton	Lipsky	Pellett
Den Herder	Hansen	Logeman	Pierson

Priebe	Scott	Strothman	Wells
Radl	Siglin	Taylor	Willits
Rex	Small	Tieden	Winkelman
Rodgers	Sorg	Trowbridge	Wirtz
Roorda	Stanley	Varley	Wyckoff
Schmeiser	Stokes	Waugh	Mr. Speaker
Schwartz	Strand	Welden	(Millen)
Schwieger	Stromer		

The nays were, none.

Absent or not voting, 23:

Bennett	Goode	Lawson	Sargisson
Bergman	Holden	Mayberry	Schroeder
Edelen	Kennedy	Mollett	Shaw
Egenes	Knoblauch	Monroe	Skinner
Ewell	Kreamer	Patton	Uban
Fischer, H. O.	Kruse	Pelton	

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

House File 1075, a bill for an act to legalize and validate the proceedings of the Town Council of the Town of Stuart, in the Counties of Adair and Guthrie, State of Iowa, in connection with the award of a contract for the construction of a project designated as the "1971 Stuart, Iowa, Sanitary Sewer Improvement Project", with report of committee recommending passage, was taken up for consideration.

Varley of Adair moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1075)

The ayes were, 74:

Alt	Gluba	Middleswart	Small
Anania	Grassley	Miller	Sorg
Andersen	Hamilton	Moffitt	Stanley
Blouin	Harbor	Monroe	Strand
Bray	Hill	Nielsen	Stromer
Camp	Husak	Norpel	Strothman
Campbell	Jesse	Nystrom	Tieden
Christensen	Kehe	Pellett	Trowbridge
Clark	Kelly	Pierson	Varley
Cochran	Kinley	Priebe	Waugh
Curtis	Knoke	Radl	Welden
Den Herder	Kreamer	Rex	Wells
Dougherty	Larson	Rodgers	Willits
Doyle	Lipsky	Roorda	Winkelman
Drake	Logeman	Schmeiser	Wirtz
Dunton	McCormick	Schwartz	Wyckoff
Ellsworth	McElroy	Schwieger	Mr. Speaker
Fisher, C. R.	Menendhall	Scott	(Millen)
Freeman	Menefee	Siglin	

The nays were, 2:

Mayberry Stokes

Absent or not voting, 24:

Bennett	Franklin	Knoblauch	Sargisson
Bergman	Goode	Kruse	Schroeder
Edelen	Hansen	Lawson	Shaw
Egenes	Holden	Mollett	Skinner
Ewell	Johnston	Patton	Taylor
Fischer, H. O.	Kennedy	Pelton	Uban

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

REGULAR CALENDAR

Senate File 1014, a bill for an act relating to money advances by county boards of supervisors to county conservation boards from money in the county general funds, with report of committee recommending amendment and passage, was taken up for consideration.

Knoke of Pottawattamie offered the following amendment filed by the committee on judiciary and moved its adoption:

Amend Senate File 1014 as follows:

Page 2, line 10, by inserting after the period the following new sentence: "All funds advanced to the county conservation board shall be returned to the county general fund not later than December 31, 1972."

The amendment was adopted.

Wyckoff of Benton offered the following amendment filed by him and moved its adoption:

Amend Senate File 1014 as follows:

1. Page 2, line 8, by striking the word "fifty" and inserting in lieu thereof the word "twenty-five".
2. Page 2, line 22, by striking the word "one-half" and inserting in lieu thereof the word "one-fourth".

The amendment was adopted.

Stanley of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 1014)

The ayes were, 71:

Alt	Camp	Den Herder	Ellsworth
Anania	Campbell	Dougherty	Fisher, C. R.
Andersen	Clark	Doyle	Franklin
Blouin	Cochran	Drake	Gluba
Bray	Curtis	Dunton	Grassley

Hamilton	Mayberry	Priebe	Strothman
Harbor	McCormick	Radl	Taylor
Hill	McElroy	Rex	Tieden
Husak	Mendenhall	Rodgers	Trowbridge
Jesse	Menefee	Roorda	Varley
Kehe	Middleswart	Schmeiser	Waugh
Kelly	Miller	Schroeder	Welden
Kinley	Moffitt	Schwartz	Wells
Knoke	Nielsen	Schwieger	Willits
Kreamer	Norpel	Scott	Winkelman
Larson	Nystrom	Small	Wyckoff
Lipsky	Pellett	Sorg	Mr. Speaker
Logemann	Pierson	Stanley	(Millen)

The nays were, 7:

Christensen	Siglin	Strand	Wirtz
Freeman	Stokes	Stromer	

Absent or not voting, 22:

Bennett	Goode	Kruse	Pelton
Bergman	Hansen	Lawson	Sarginson
Edelen	Holden	Mollett	Shaw
Egenes	Johnston	Monroe	Skinner
Ewell	Kennedy	Patton	Uban
Fischer, H. O.	Knoblauch		

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

HOUSE FILE 1035 WITHDRAWN

Stanley of Linn asked and received unanimous consent to withdraw House File 1035 from further consideration by the House.

Senate File 1005, a bill for an act relating to the military records of veterans, with report of committee recommending passage, was taken up for consideration.

Wyckoff of Benton moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 1005)

The ayes were, 73:

Alt	Dougherty	Harbor	Mayberry
Anania	Doyle	Hill	McCormick
Andersen	Drake	Husak	McElroy
Bergman	Dunton	Jesse	Mendenhall
Blouin	Ellsworth	Johnston	Menefee
Camp	Fischer, H. O.	Kelly	Miller
Campbell	Fisher, C. R.	Kinley	Moffitt
Christensen	Franklin	Knoke	Monroe
Clark	Freeman	Kreamer	Nielsen
Cochran	Gluba	Larson	Norpel
Curtis	Grassley	Lipsky	Nystrom
Den Herder	Hamilton	Logemann	Pellett

Pierson	Scott	Stromer	Willits
Rex	Siglin	Strothman	Winkelman
Rodgers	Small	Trowbridge	Wirtz
Roorda	Sorg	Waugh	Wyckoff
Schroeder	Stanley	Welden	Mr. Speaker
Schwartz	Stokes	Wells	(Millen)
Schwieger	Strand		

The nays were, 2:

Bray Radl

Absent or not voting, 25:

Bennett	Kehe	Mollett	Shaw
Edelen	Kennedy	Patton	Skinner
Egenes	Knoblauch	Pelton	Taylor
Ewell	Kruse	Priebe	Tieden
Goode	Lawson	Sargisson	Uban
Hansen	Middleswart	Schmeiser	Varley
Holden			

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

House File 1176, a bill for an act relating to the department of soil conservation, was taken up for consideration.

Cochran of Webster moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1176)

The ayes were, 76:

Alt	Grassley	Menefee	Siglin
Anania	Hamilton	Middleswart	Small
Andersen	Harbor	Miller	Sorg
Bergman	Hill	Moffitt	Stanley
Blouin	Husak	Monroe	Stokes
Camp	Jesse	Nielsen	Strand
Campbell	Johnston	Norpel	Stromer
Christensen	Kehe	Nystrom	Strothman
Clark	Kelly	Pellett	Tieden
Cochran	Kennedy	Pierson	Trowbridge
Curtis	Kinley	Priebe	Varley
Den Herder	Knoke	Radl	Waugh
Dougherty	Kreamer	Rex	Wells
Doyle	Larson	Rodgers	Willits
Drake	Lipsky	Roorda	Winkelman
Dunton	Logemann	Schmeiser	Wirtz
Ellsworth	McCormick	Schroeder	Wyckoff
Fisher, C. R.	McElroy	Schwartz	Mr. Speaker
Freeman	Mendenhall	Scott	(Millen)
Gluba			

The nays were, none.

Absent or not voting, 24:

Bennett	Franklin	Lawson	Schwieger
Bray	Goode	Mayberry	Shaw
Edelen	Hansen	Mollett	Skinner
Egenes	Holden	Patton	Taylor
Ewell	Knoblauch	Pelton	Uban
Fischer, H. O.	Kruse	Sargisson	Welden

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

House File 1098, a bill for an act related to the contents of a safety deposit box or other security enclosure of a decedent, with report of committee recommending passage, was taken up for consideration.

Ellsworth of Dubuque moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1098)

The ayes were, 70:

Alt	Fisher, C. R.	Menefee	Siglin
Anania	Freeman	Middleswart	Small
Andersen	Gluba	Miller	Stanley
Bergman	Grassley	Moffitt	Stokes
Blouin	Hamilton	Monroe	Strand
Camp	Harbor	Nielsen	Strothman
Campbell	Husak	Norpel	Taylor
Christensen	Kelly	Nystrom	Tieden
Clark	Kinley	Pellett	Varley
Cochran	Knoke	Pierson	Waugh
Curtis	Kreamer	Priebe	Welden
Den Herder	Larson	Rex	Wells
Dougherty	Lipsky	Rodgers	Willits
Doyle	Logemann	Roorda	Winkelman
Drake	Mayberry	Schmeiser	Wyckoff
Dunton	McCormick	Schwartz	Mr. Speaker
Ellsworth	McElroy	Schwieger	(Millen)
Fischer, H. O.	Mendenhall	Scott	

The nays were, 6:

Bray	Johnston	Radl	Trowbridge
Hill	Kennedy		

Absent or not voting, 24:

Bennett	Hansen	Lawson	Shaw
Edelen	Holden	Mollett	Skinner
Egenes	Jesse	Patton	Sorg
Ewell	Kehe	Pelton	Stromer
Franklin	Knoblauch	Sargisson	Uban
Goode	Kruse	Schroeder	Wirtz

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

HOUSE FILE 1190 WITHDRAWN

Blouin of Dubuque asked and received unanimous consent to withdraw House File 1190 from further consideration by the House.

House File 1181, a bill for an act relating to livestock, providing for rules and regulations and providing a penalty for violations, was taken up for consideration.

Moffitt of Appanoose offered the following amendment filed by Moffitt, et al., and moved its adoption:

Amend House File 1181, page 2, by striking all of lines 20 through 23 and inserting in lieu thereof the following:

"187.12 [FEES TO GENERAL FUND.] *DISPOSITION OF FEES.* All fees and [money] *moneys*, collected under the provisions of [sections 187.4, 187.6, 187.8, and 187.13] *this chapter* by the secretary shall be [placed in the general fund] *deposited in a special fund in the state treasury to be known as the branded livestock fund and shall be used by the department for the purposes of inspection, training, research, publication of reports and other expenses necessary for the administration of this chapter and the rules and regulations adopted pursuant thereto.*"

The amendment was adopted.

Moffitt of Appanoose moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1181)

The ayes were, 79:

Alt	Gluba	Mendenhall	Siglin
Andersen	Grassley	Menefee	Small
Bergman	Hamilton	Middleswart	Sorg
Blouin	Harbor	Miller	Stanley
Bray	Hill	Moffitt	Stokes
Camp	Husak	Nielsen	Stromer
Campbell	Jesse	Norpel	Strothman
Christensen	Johnston	Nystrom	Taylor
Cochran	Kehe	Pellett	Tieden
Curtis	Kelly	Pierson	Trowbridge
Den Herder	Kennedy	Priebe	Varley
Dougherty	Kinley	Radl	Waugh
Doyle	Knoke	Rex	Welden
Drake	Kreamer	Rodgers	Wells
Dunton	Larson	Roorda	Willits
Ellsworth	Lipsky	Schmeiser	Winkelman
Fischer, H. O.	Logemann	Schroeder	Wirtz
Fisher, C. R.	Mayberry	Schwartz	Wyckoff
Franklin	McCormick	Schwieger	Mr. Speaker
Freeman	McElroy	Scott	(Millen)

The nays were, 1:

Clark

Absent or not voting, 20:

Anania	Goode	Lawson	Sargisson
Bennett	Hansen	Mollett	Shaw
Edelen	Holden	Monroe	Skinner
Egenes	Knoblauch	Patton	Strand
Ewell	Kruse	Pelton	Uban

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

HOUSE FILE 1113 REREFERRED TO
COMMITTEE ON TRANSPORTATION

Schwieger of Black Hawk asked for unanimous consent that House File 1113 now on the calendar be rereferred to the committee on transportation.

Objection was raised.

Schwieger of Black Hawk moved that House File 1113 now on the calendar be rereferred to the committee on transportation.

A non-record roll call was requested.

The ayes were 52, nays 11.

The motion prevailed and House File 1113 is rereferred to the committee on transportation.

MOTION TO RECONSIDER MOTION

(House File 1113 Rereferred to Committee on Transportation)

I move to reconsider the vote by which House File 1113 was rereferred to the committee on transportation.

SCHROEDER of Pottawattamie

REPORTS OF COMMITTEES

Christensen of Union, from the committee on law enforcement, submitted the following reports:

MR. SPEAKER: Your committee on law enforcement, to whom was referred House File 1017, a bill for an act relating to the creation of a special liquor control license for the sale of wine only for commercial establishments whose principal business is the sale of food, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same **do pass**.

CHRISTENSEN of Union, Chairman

Also:

MR. SPEAKER: Your committee on law enforcement, to whom was referred

House File 1201, a bill for an act relating to civil liability for criminal acts and providing for restitution to victims of crimes, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

Amend House File 1201 by striking everything after the enacting clause and inserting in lieu thereof the following:

Section 1. At the time a court suspends a sentence and grants probation under section two hundred forty-seven point twenty (247.20) of the Code, or at the time a person has been found guilty of any crime, except a violation of the provisions of chapter three hundred twenty-one (321) of the Code, and before the convicted person begins the sentence imposed, the court may order the convicted person to make restitution to any victim of the crime, other than the state, or a state subdivision, or an insurance carrier for actual losses or any part thereof and in a manner the court deems reasonable and just. A restitution order may be entered only where the victim has petitioned the court for a restitution order and a hearing before the court without a jury has been held, giving sufficient notice to the defendant and giving both parties and their witness an opportunity to be heard. At the hearing the court shall admit as competent evidence or take judicial notice of all facts and circumstances proven by competent evidence or admitted by the defendant at the trial on the criminal charge, including a finding of guilty, and the defendant is stopped from denying such facts and circumstances, proven or admitted. The hearing shall be for the purpose of proving that the crime for which the defendant was convicted was the proximate cause of actual losses suffered by the victim of the crime and proving the nature and the extent of the victim's actual losses.

Sec. 2. Any restitution order entered under this Act may be enforced by execution or garnishment and shall be binding upon the defendant's insurance carrier if the carrier is ultimately liable for the damage caused by the defendant. Restitution from disposable earnings shall not exceed the amount disposable earnings are exempt from garnishment under the provisions of the federal Consumer Credit Protection Act, Title 111, 82 Stat. 163, Act of Congress approved May 29, 1968. The two hundred fifty dollar limitation provided in chapter two hundred seventy (270), section one (1), Acts of the Sixty-fourth General Assembly, First Session, shall not apply to court-ordered restitution under this section.

Sec. 3. Upon its own motion, the victim's motion, or the motion of the state if the state later becomes liable for the amount under the conditions set forth

in this Act, the court may find a defendant in contempt of court for intentional and willful failure to comply with the restitution order.

Sec. 4. This Act shall not apply to actual losses of a victim, incurred solely as a result of the victim's appearance as a witness on the criminal charge.

CHRISTENSEN of Union, Chairman

Fisher of Greene, from the committee on state government, submitted the following report:

MR. SPEAKER: Your committee on state government, to whom was referred **House File 1153**, a bill for an act relating to the peace officers retirement system, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same **be amended as follows, and when so amended the bill do pass**:

Amend House File 1153, page 2, by striking all of lines 1 through 9 and renumbering the remaining sections.

FISHER of Greene, Chairman

Pelton of Clinton, from the committee on judiciary, submitted the following reports:

MR. SPEAKER: Your committee on judiciary, to whom was referred **House File 354**, a bill for an act relating to the regulation of model rocketry for educational, scientific and recreational purposes, providing minimum standards of safety, and providing penalties, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same **do pass**.

HILL of Polk, Ranking Member

Also:

MR. SPEAKER: Your committee on judiciary, to whom was referred **House File 1038**, a bill for an act relating to endurance contests and the penalty for participation therein, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same **do pass**.

HILL of Polk, Ranking Member

Also:

MR. SPEAKER: Your committee on judiciary, to whom was referred **House File 1171**, a bill for an act relating to governmental immunity and the operation of snowmobiles, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same **do pass**.

HILL of Polk, Ranking Member

AMENDMENTS FILED

- 1 Amend the Senate amendment to House File 48 by
- 2 striking lines 55 through 77 inclusive and inserting

3 in lieu thereof the following:

4 *All permits for the movement of mobile homes*
5 *exceeding twelve feet five inches in width, includ-*
6 *ing appurtenances, shall be single-trip permits*
7 *over specified routes.*

8 *Such permits shall normally be issued only for*
9 *highways having a roadway width of twenty-four feet*
10 *or more. The permit issuing authority may, when*
11 *it is necessary to reach the terminus point, route*
12 *such movements over highways having roadway widths*
13 *less than twenty-four feet for limited distances.*
14 *Additional precautions may be required by the*
15 *issuing authority for the protection of the public*
16 *on any movement of mobile homes over twelve feet*
17 *five inches in width on roadway widths of less than*
18 *twenty-four feet.*

19 *For the purpose of this section the words*
20 *"terminous point" mean a mobile home park site*
21 *or any site in which the mobile home will be placed*
22 *permanently and used for human habitation.*

WELDEN of Hardin

1 Amend House File 1061 as follows:

2 1. By inserting after the comma in line 13,
3 "or any damage".

4 2. By adding after line 15 the following
5 paragraph:

6 The provisions of this bill shall not apply
7 to the State Capitol Building or the
8 Historical Building.

9 3. Renumber the lines to conform with above.

NYSTROM of Boone

1 Amend Senate File 1003, as amended and passed
2 by the Senate and reprinted, as follows:

3 1. Page 1, line 23, by striking everything
4 after the period.

5 2. Page 1, by striking lines 24 and 25.

6 3. Page 1A, by striking lines 26 through 29.

KNOKE of Pottawattamie

1 Amend Senate File 418 as follows:

2 Page 2, by striking lines 17 through 31.

KNOKE of Pottawattamie

On motion by Varley of Adair, the House adjourned until
10:00 a.m., Monday, February 21, 1972.

JOURNAL OF THE HOUSE

Forty-third Calendar Day—Thirty-first Session Day

HALL OF THE HOUSE OF REPRESENTATIVES
DES MOINES, IOWA, MONDAY, FEBRUARY 21, 1972

The House met pursuant to adjournment, Speaker Harbor in the chair.

Prayer was offered by the Reverend Murley A. Severtson, pastor of the Zion Lutheran Church, Clear Lake, Iowa.

The Journal of Friday, February 18, 1972, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Clark of Lee on request of Millen of Van Buren; Lawson of Cerro Gordo on request of Drake of Muscatine; Shaw of Scott on request of Lipsky of Linn.

PRESENTATION OF VISITORS

Freeman of Buena Vista presented to the House his father, the Honorable Lester M. Freeman, former member of the House during the Sixty-second and Sixty-third General Assemblies, representing Clay and Dickinson Counties.

McCormick of Delaware presented to the House Liliana Bruzzone, a Foreign Exchange Student from Uruguay.

PETITIONS FILED

The following petitions were received and placed on file:

By Campbell of Washington from seventy-three residents of Washington County opposing Senate File 356, relating to permits to carry concealed weapons.

By Waugh of Monona and Knoblauch of Carroll from twenty-three residents of Crawford County favoring House File 95, relating to IPERS benefits.

ADOPTION OF COMMITTEE REPORTS

The Chief Clerk announced the adoption of reports of committees on House Files 354, 1017, 1038, 1153, 1171 and 1201, under Rule 35.

POINT OF PERSONAL PRIVILEGE

Stokes of Plymouth rose on a point of personal privilege and asked and received unanimous consent that the following essay written by Roxanne McNaughton of Kingsley, Iowa, winner of the V.F.W. Voice of Democracy Contest, be printed in the **House Journal**:

V.F.W. VOICE OF DEMOCRACY CONTEST—
MY RESPONSIBILITY TO FREEDOM

Freedom, like love, is a many-splendored thing. Freedoms of speech, religion, assembly, press, and redress of grievances, as granted in our constitution, the freedom to be and do what you please which comes as a result, all are facets of the democracy-gem. Yet before any facets can be cut, there must be a rough stone from which to begin—this rough stone is responsibility, for without it, there can be no freedom, no jewel. But responsibility also serves another purpose in a democracy, that of a setting showing off freedom to its highest, most brilliant luster.

I have a responsibility to freedom—everyone does. Upon being born into this free country, I assumed that responsibility, along with 165 million other people in the United States. Like each one of them, there is a ready-made job for me, or rather, many jobs all rolled into one. First of all, I am a janitor; I must keep my country clean and unpolluted, and well-stocked with the wildlife for which it is famous. I am a lawyer, defending and explaining my country's actions and policies. I am a teacher, teaching others about my wonderful country, about freedom, and about responsibility. I am a doctor, diagnosing the social, economic, political, and spiritual ills of my country, and trying to cure them or at least ease them, in my own small way. This brings us to the most important job of all—that of being a citizen, and not just any citizen, mind you, but one that sees to it that our country is run by those most fit and most knowledgeable, that they are kept informed of my opinions, and that I myself am well informed on matters of national, state, and local importance. This may sound like a drag, but it's not; just look at the rewards. I am free to go, come, travel, say, do, act, dress, play, love, walk, run, skip, laugh, and be just what I please. I can be for the war or against it. I can help stop inflation or not worry about it. I can believe in the religion of my choice or not believe at all. I can work in a factory, or on a farm, or at any job I wish.

Of course, there are rules; some say too many. Laws are set over us to protect us from ourselves and others, and to define and enrich the freedoms we hold. But no matter how complex the set of laws, behind it is the one great rule that has kept mankind going from the beginning until now—The Golden Rule. *Oh!* If only we could be as gracious and good to others as we always want them to be to us, and, in a larger sense, as loyal and beneficial to our country as we want it to be to us. I only hope that *I* can be as good to my country as it has already been to me.

INTRODUCTION OF BILLS

House File 1239, by Lawson, a bill for an act authorizing cities and towns to acquire, improve, equip and lease pollution control facilities, and issue revenue bonds in connection therewith.

Read first time and referred to committee on **environmental preservation.**

House File 1240, by committee on agriculture, a bill for an act relating to minimum percentages of plant nutrients in mixed fertilizers.

Read first time and placed on the calendar.

House File 1241, by Gluba, Holden, and Bray, a bill for an act relating to the use of those funds distributed to cities and towns out of state liquor store sales.

Read first time and referred to committee on **cities and towns.**

House File 1242, by committee on state government, a bill for an act to establish a commission on salaries for elective state officials.

Read first time and placed on the calendar.

SENATE MESSAGE CONSIDERED

Senate File 184, a bill for an act relating to licensing and regulation of hearing aid dealers, appropriating license fees for purposes of administration, and providing penalties for violation.

Read first time and referred to committee on **state government.**

CONFERENCE COMMITTEE REPORT ON SENATE FILE 431

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to consider the difference between the Senate and the House of Representatives on Senate File 431, a bill for an act relating to hunting restrictions, respectfully submit the following recommendations:

1. The House recedes from its amendments.
2. By striking everything after the enacting clause and inserting in lieu thereof the following:

Section 1. Section one hundred nine point forty-eight (109.48), Code 1971, is amended by striking the section and inserting in lieu thereof the following:

109.48. RESTRICTIONS. No person, except as otherwise provided by law, shall willfully disturb, pursue, shoot, kill, take or attempt to take or have in possession any of the following game birds or animals except within the open season established by the commission: gray or fox squirrel, bobwhite quail, cottontail or jack rabbit, duck, snipe, pheasant, goose, woodcock, partridge, coot, rail, ruffed grouse, wild turkey, or deer. The seasons, bag limits,

possession limits and locality shall be established by the commission under the authority of sections one hundred seven point twenty-four (107.24), one hundred nine point thirty-eight (109.38), and one hundred nine point thirty-nine (109.39) of the Code.

Subject to the annual approval of the commission by departmental rule, no person shall take, possess, transport or use migratory game birds except during the periods of time and in the manner and numbers established under the provisions of the federal "Migratory Bird Treaty Act" and the "Migratory Bird Stamp Hunting Act".

On the part of the Senate:

ALDEN ERSKINE, Chairman
GEORGE SHAWVER
CHARLES MILLER

On the part of the House:

DALE L. TIEDEN, Chairman
PERRY CHRISTENSEN
WALTER W. P. KRUSE
NORMAN RODGERS

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File 494, a bill for an act relating to the transfer of portions of the primary road system.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File 1084, a bill for an act relating to rural water districts.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File 1010, a bill for an act relating to real estate broker funds.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File 1087, a bill for an act relating to the designation of the general assembly and acts thereof.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File 1096, a bill for an act relating to tax assessment procedures.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File 1110, a bill for an act legalizing proceedings of the Prairie Community School District.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File 1125, a bill for an act relating to changing the fiscal year of cities and towns.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File 1134, a bill for an act relating to the regulation of trout fishing.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File 1169, a bill for an act relating to reference in the computation of individual and corporate income tax.

CARROLL A. LANE, Secretary

SENATE FILE 566 REREFERRED

The Speaker announced that Senate File 566 previously referred to the committee on human and industrial relations is rereferred to the committee on state government.

CONSIDERATION OF BILLS

NONCONTROVERSIAL CALENDAR

SENATE FILE 1070 DEFERRED

Senate File 1070, a bill for an act relating to the approval, coordination, and supervision over electronic data processing for educational purposes, with report of committee recommending passage, was taken up for consideration.

Small of Johnson asked and received unanimous consent that Senate File 1070 be deferred and that the bill retain its place on the calendar.

APPROPRIATIONS CALENDAR

House File 1213, a bill for an act making an appropriation to the office of secretary of state to defray expenses relating to the administration of election laws, was taken up for consideration.

Camp of Clinton offered the following amendment, filed by him and moved its adoption:

Amend House File 1213 as follows:

1. Page 1, by striking all of lines 7 and 8 and inserting in lieu thereof the following: "cal year beginning July 1, 1971 and ending June 30, 1972, the sum of eight thousand (8,000) dollars, and for the fiscal year beginning July 1, 1972 and ending June 30, 1973, the sum of seventeen thousand (17,000) dollars, or so much".

2. Page 1, by inserting after line 23 the following new section:

Sec. 2. This Act, being deemed of immediate importance, shall take effect and be in force from and after its publication in The DeWitt Observer, a newspaper published in DeWitt, Iowa, and The

Guttenburg Press, a newspaper published in Guttenburg, Iowa.

The amendment was adopted.

Camp of Clinton moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1213)

The ayes were, 79:

Alt	Fischer, H. O.	McElroy	Scott
Anania	Fisher, C. R.	Mendenhall	Siglin
Andersen	Freeman	Menefee	Stanley
Bergman	Gluba	Middleswart	Stokes
Blouin	Grassley	Millen	Strand
Bray	Hamilton	Moffitt	Stromer
Camp	Hansen	Nielsen	Strothman
Campbell	Hill	Norpel	Taylor
Christensen	Holden	Nystrom	Tieden
Cochran	Husak	Patton	Trowbridge
Curtis	Kennedy	Pellett	Varley
Den Herder	Kinley	Pelton	Waugh
Dougherty	Knoblauch	Pierson	Welden
Doyle	Knoke	Priebe	Wells
Drake	Kreamer	Rex	Willits
Dunton	Kruse	Rodgers	Winkelman
Edelen	Larson	Roorda	Wirtz
Egenes	Lipsky	Sargisson	Wyckoff
Ellsworth	Logemann	Schmeiser	Mr. Speaker
Ewell	McCormick	Schroeder	

The nays were, 1:

Monroe

Absent or not voting, 20:

Bennett	Johnston	Miller	Shaw
Clark	Kehe	Mollett	Skinner
Franklin	Kelly	Radl	Small
Goode	Lawson	Schwartz	Sorg
Jesse	Mayberry	Schwieger	Uban

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

Speaker pro tempore Millen in the chair at 10:40 a.m.

REGULAR CALENDAR

HOUSE FILE 743 AMENDED AND REFERRED TO
COMMITTEE ON APPROPRIATIONS

House File 743, a bill for an act to create an alcoholism rehabilitation fund by imposing a tax on consumers of alcoholic beverages and to provide for the use of the funds for the rehabilitation

of alcoholics, with report of committee recommending amendment and passage, was taken up for consideration.

Holden of Scott offered the following amendment filed by the committee on social services:

Amend House File 743, as follows:

1. By striking everything after the enacting clause and inserting in lieu thereof the following new section:

“Section 1. Chapter one hundred thirty-one (131), section fifty-three (53), subsection three (3), Acts of the Sixty-fourth General Assembly, First Session, is amended by striking the subsection and inserting in lieu thereof the following:

3. The treasurer of state shall semiannually distribute a sum of money equal to ten percent of the gross sales made by the state liquor stores in amounts as follows:

a. Nine percent thereof to the cities and towns of the state. Such amount shall be distributed to the cities and towns of the state in proportion to the population that each incorporated city or town bears to the total population of all incorporated cities and towns of the state as computed by the latest federal census. A city or town may have one special federal census taken each decade, and the population figure thus obtained shall be used in apportioning amounts under this subsection beginning the calendar year following the year in which the special census is certified by the secretary of state. Such apportionment shall be made semiannually as of July first and January first of each year. Warrants for the same shall be issued by the state comptroller upon certification of the treasurer of state and mailed to the city clerk of each incorporated city and town of the state and shall be made payable to such incorporated city or town and shall be subject to expenditure under the direction of the city council or other governing bodies of such incorporated city or town for any lawful municipal purpose. It shall be a lawful municipal purpose for cities and towns to allocate a portion of the above funds for the purpose of financing the activities of a city or town commission or committee on alcoholism, such commission or committee to be appointed by the mayor or by the council or both. The commission or committee may use any funds so allocated for the treatment, rehabilitation, and education of alcoholics in Iowa.

b. One percent thereof shall be allocated and paid quarterly to each county treasurer of those counties which participate in alcohol rehabilitation programs by agreement with the alcoholism service center for their area. The funds shall be distributed in an amount

determined by dividing the total population of each county by the total population of the state according to the latest federal decennial census.

c. Revenues allocated and paid pursuant to the provisions of paragraph a of this subsection shall be used for the following purposes:

(1) The rehabilitation of alcoholics pursuant to the provisions of chapter one hundred twenty-three B (123B) of the Code.

(2) The implementation of new alcoholic treatment procedures and services.

The expenditure of funds by county boards of supervisors shall be reviewed by the Iowa commission on alcoholism.

d. The provisions of section eight point thirty-three (8.33) of the Code shall apply to the funds distributed pursuant to paragraph a of this subsection, and such funds shall revert to the general fund of the state."

Speaker Harbor in the chair at 11:10 a.m.

Gluba of Scott offered the following amendment to the committee amendment filed by Gluba, et al., and moved its adoption:

Amend the committee on social services amendment to House File 743, filed February 9, 1972, as follows:

1. Line 11, by striking the word "ten" and inserting in lieu thereof the word "eleven".
2. Line 14, by striking the word "Nine" and inserting in lieu thereof the word "Ten".

Roll call was requested by Gluba of Scott and Small of Johnson.

Rule 70 was invoked.

On the question "Shall the amendment to the amendment be adopted?"

The ayes were, 38:

Anania	Hansen	McCormick	Schwieger
Andersen	Husak	Middleswart	Scott
Bennett	Jesse	Monroe	Small
Blouin	Kelly	Norpel	Stanley
Cochran	Kennedy	Patton	Trowbridge
Dougherty	Kinley	Priebe	Uban
Doyle	Knoblauch	Radl	Wells
Dunton	Larson	Sargisson	Willits
Ewell	Logemann	Schmeiser	Wyckoff
Gluba	Mayberry		

The nays were, 47:

Alt	Christensen	Egenes	Freeman
Bergman	Curtis	Ellsworth	Grassley
Camp	Den Herder	Fischer, H. O.	Hamilton
Campbell	Edelen	Fisher, C. R.	Hill

Holden	Millen	Rodgers	Tieden
Knoke	Moffitt	Roorda	Varley
Kreamer	Nielsen	Schroeder	Waugh
Kruse	Nystrom	Siglin	Welden
Lipsky	Pellett	Stokes	Winkelman
McElroy	Pelton	Strand	Wirtz
Mendenhall	Pierson	Stromer	Mr. Speaker
Menefee	Rex	Taylor	

Absent or not voting, 15:

Bray	Goode	Miller	Skinner
Clark	Johnston	Mollett	Sorg
Drake	Kehe	Schwartz	Strothman
Franklin	Lawson	Shaw	

The amendment to the amendment lost.

(House File 743 and the committee amendment pending at recess.)

The House was recessed until 1:30 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Harbor in the chair.

The House resumed consideration of House File 743 and the committee amendment.

Speaker pro tempore Millen in the chair at 2:00 p.m.

Lipsky of Linn moved to reconsider the vote by which the Gluba, et al., amendment failed to be adopted.

A non-record roll call was requested.

The ayes were 51, nays 27.

The motion prevailed.

Lipsky of Linn reoffered the following amendment filed by Gluba, et al.:

Amend the committee on social services amendment to House File 743, filed February 9, 1972, as follows:

1. Line 11, by striking the word "ten" and inserting in lieu thereof the word "eleven".
2. Line 14, by striking the word "Nine" and inserting in lieu thereof the word "Ten".

Division of the amendment was requested.

Lipsky of Linn moved the adoption of amendment 1, lines 3 and 4 of the Gluba, et al., amendment to the committee amendment.

A non-record roll call was requested.

The ayes were 34, nays 48.

Amendment 1 lost.

Lipsky of Linn moved the adoption of amendment 2, lines 5 and 6 of the Gluba, et al., amendment to the committee amendment.

A non-record roll call was requested.

The ayes were 58, nays 23.

Amendment 2 was adopted.

Lipsky of Linn offered the following amendment filed by her:

Amend the committee on social services amendment to House File 743 filed February 9, 1972, as follows:

1. By striking from line 11 the word "ten" and inserting in lieu thereof the words "ten and one-half."

2. By striking from line 14 the word "Nine" and inserting in lieu thereof the word "Ten".

3. By striking from line 44 the word "One" and inserting in lieu thereof the words "One-half of one".

Lipsky of Linn asked and received unanimous consent to withdraw amendment 2, lines 6 and 7 of her amendment.

Lipsky of Linn moved the adoption of amendments 1 and 3, lines 1 through 5 and lines 8 through 10 of her amendment.

Roll call was requested by Blouin of Dubuque and Gluba of Scott.

On the question "Shall amendments 1 and 3 of the amendment to the committee amendment be adopted?"

The ayes were, 67:

Alt	Franklin	McElroy	Schwartz
Anania	Freeman	Mendenhall	Schwieger
Andersen	Gluba	Menefee	Scott
Bennett	Hamilton	Middleswart	Small
Bergman	Hill	Moffitt	Stanley
Blouin	Holden	Monroe	Stokes
Bray	Jesse	Nielsen	Strand
Campbell	Kelly	Norpel	Stromer
Cochran	Kennedy	Nystrom	Taylor
Curtis	Kinley	Patton	Uban
Den Herder	Knoke	Pellett	Varley
Doyle	Kruse	Pierson	Wells
Dunton	Larson	Priebe	Willits
Egenes	Lipsky	Radl	Winkelman
Ellsworth	Logemann	Rodgers	Wirtz
Ewell	Mayberry	Roorda	Wyckoff
Fisher, C. R.	McCormick	Sargisson	

The nays were, 14:

Camp	Kehe	Schroeder	Trowbridge
Christensen	Knoblauch	Siglin	Waugh
Dougherty	Rex	Strothman	Welden
Husak	Schmeiser		

Absent or not voting, 19:

Clark	Grassley	Lawson	Skinner
Drake	Hansen	Miller	Sorg
Edelen	Harbor	Mollett	Tieden
Fischer, H. O.	Johnston	Pelton	Mr. Speaker
Goode	Kreamer	Shaw	(Millen)

Amendments 1 and 3 to the committee amendment were adopted.

Gluba of Scott offered the following amendment filed by him to the committee amendment:

Amend the committee on social services amendment to House File 743, filed February 10, 1972, as follows:

1. Line 38, by adding after the word "alcoholism", the words "as approved by the Iowa commission on alcoholism".

2. Line 65, by striking the words "paragraph a of", and inserting in lieu thereof "paragraph b of".

Division of the amendment was requested.

Gluba of Scott moved the adoption of amendment 1, lines 1 through 6 of his amendment to the committee amendment.

Amendment 1 was adopted.

Gluba of Scott moved the adoption of amendment 2, lines 7 and 8 of his amendment to the committee amendment.

Amendment 2 was adopted.

Knoke of Pottawattamie offered the following amendment filed by him to the committee amendment:

Amend the committee on social services amendment to House File 743, filed February 9, 1972, as follows:

1. By striking the period in line 48 and inserting in lieu thereof the following: "and of those counties which have approval of the Iowa commission on alcoholism for the implementation of alcoholic procedures and services."

2. By inserting after the word "services" in line 59 the words "pursuant to the provision of chapter one hundred twenty-three B (123B) of the Code."

3. By adding after line 67 the following:

"The effective date of this act shall be July 1, 1973."

Division of the amendment was requested.

Knoke of Pottawattamie moved the adoption of amendments 1 and 2, lines 1 through 12 of his amendment to the committee amendment.

Amendments 1 and 2 were adopted.

Knoke of Pottawattamie moved the adoption of amendment 3, lines 13 through 15 of his amendment to the committee amendment.

Roll call was requested by Gluba of Scott and Dunton of Keokuk.

On the question "Shall amendment 3 of the amendment to the committee amendment be adopted?"

The ayes were, 34:

Alt	Hill	Nystrom	Stromer
Bergman	Holden	Pellett	Taylor
Curtis	Kelly	Pierson	Trowbridge
Drake	Knoke	Rex	Varley
Edelen	Kreamer	Roorda	Waugh
Egenes	Kruse	Schroeder	Welden
Grassley	Lipsky	Siglin	Winkelman
Hamilton	McElroy	Stokes	Wirtz
Hansen	Menefee		

The nays were, 49:

Anania	Franklin	McCormick	Scott
Andersen	Freeman	Moffitt	Small
Bennett	Gluba	Monroe	Stanley
Blouin	Husak	Nielsen	Strand
Campbell	Jesse	Norpel	Strothman
Christensen	Johnston	Patton	Tieden
Cochran	Kehe	Priebe	Uban
Dougherty	Kennedy	Radl	Wells
Doyle	Kinley	Rodgers	Willits
Dunton	Knoblauch	Sargisson	Wyckoff
Ellsworth	Larson	Schmeiser	Mr. Speaker
Ewell	Logemann	Schwartz	Millen
Fisher, C. R.	Mayberry		

Absent or not voting, 17:

Bray	Goode	Middleswart	Schwieger
Camp	Harbor	Miller	Shaw
Clark	Lawson	Mollett	Skinner
Den Herder	Mendenhall	Pelton	Sorg
Fischer, H. O.			

Amendment 3 to the committee amendment lost.

Holden of Scott offered the following amendment to the committee amendment and moved its adoption:

Amend the committee on social services amendment to House File 743, filed February 9, 1972, as follows:

1. Line 53, by striking the words "paragraph a of", and inserting in lieu thereof the words "paragraph b of".

The amendment to the committee amendment was adopted.

Holden of Scott moved the adoption of the committee amendment as amended.

The committee amendment as amended was adopted.

Camp of Clinton moved that Rule 31 be invoked and that House File 743 be referred to the committee on appropriations.

The motion prevailed.

REPORT OF COMMITTEE ON NONCONTROVERSIAL BILLS

MR. SPEAKER: Your committee on noncontroversial bills begs leave to report that it had the following bills under consideration and recommends that they be placed on the noncontroversial calendar:

H. F. 1038—Relating to endurance contests. By Clark.

H. F. 1171—Relating to governmental immunity and the operation of snowmobiles. By Lawson.

H. F. 1219—COMMITTEE BILL—Related to destruction of undesirable fish. By committee on conservation and recreation.

S. F. 471—Relating to the annual registration fee for urban transit company vehicles. By committee on transportation.

S. F. 1030—Requiring the council of social services to prepare a list of all deaf, blind, and severely handicapped persons within the state. By committee on county government.

SORG of Linn, Chairman

REPORT OF COMMITTEE

Camp of Clinton from the committee on appropriations, submitted the following report:

MR. SPEAKER: Your committee on appropriations, to whom was referred **Senate File 593**, a bill for an act to make an appropriation to the executive council for the construction and equipping of a medical school in counties of over two hundred thousand (200,000) population, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same **be amended as follows, and when so amended the bill do pass**:

Amend Senate File 593, as amended and passed by the Senate as follows:

1. Page 1, line 10, by inserting after the word "school", the words "to acquire land and buildings and".

2. Page 1, line 12, by striking the words "upon land owned by such medical school".

3. Page 1, line 14, by inserting after the word "*which*" the word "*school*".

4. Page 1, line 27, by inserting before the word "*construction*" the words "*acquisition of land and*".

5. Amend the title on page 1 by striking lines 2, 3 and 4 and inserting in lieu thereof the following: "*the acquisition of land and buildings, and the remodeling, construction and equipping of a medical school in counties having a population of over two hundred thousand.*"

CAMP of Clinton, Chairman

AMENDMENTS FILED

1 Amend the Bennett amendment to the Senate
2 amendment to House File 48, filed February 17, 1972,
3 by adding after the period in line 20 the following
4 new sentence:

5 "*A vehicle or combination of vehicles which*
6 *has an overall length of more than sixty feet*
7 *shall be enclosed within, or covered in a manner to*
8 *appear as, a mobile home while traveling in Iowa*
9 *and shall comply with the provisions of sections*
10 *one (1) through six (6) of this Act.*"

MILLEN of Van Buren
KREAMER of Polk

1 Amend House File 1024, on page 1, by striking lines
2 10 and 11 and inserting in lieu thereof the following:
3 "*of such duties. The employees of the department*
4 *of revenue who are assigned to the full-time enforcement*
5 *of the Interstate Fuel Use Tax Law under this chapter*
6 *at check points on the public highways of this state*
7 *shall be furnished with uniforms prescribed by the*
8 *director of revenue. There is appropriated to the*
9 *department of revenue from the motor vehicle fuel tax*
10 *fund created under section three hundred twenty-four*
11 *point seventy-seven (§24.77) of the Code a sum of money*
12 *sufficient to pay the cost of such uniforms.*"

MIDDLESWART of Warren

1 Amend House File 1168, page 3, by striking lines
2 17, 18, and 19 and inserting in lieu thereof the
3 following:

4 "*must provide that the owner of abutting property*
5 *has an exclusive option to purchase the right-of-way*
6 *abutting his property for a period of twenty-six weeks*
7 *from the date of issuance of the order. If the right-*
8 *of-way is between property belonging to two different*
9 *owners, the option of each owner extends only to the*
10 *center of the right-of-way. The order must also*
11 *provide that at the expiration of the first twenty-*
12 *six weeks period, the state has an exclusive option*
13 *to purchase any of the right-of-way for a period of*
14 *one year, or until the expiration of one year and*
15 *twenty-six weeks from the date of issuance of the*

16 *order, and that the abandonment will not become*
 17 *effective until the expiration of one year and twenty-*
 18 *six weeks from the date of issuance of the order."*

SARGISSON of Woodbury

1 Amend House File 1188 as follows:
 2 Add the following after line 1, page 2:
 3 "Payroll deductions shall be provided
 4 for the insurance program sponsored by
 5 the Organization of Iowa Highway Commission
 6 Employees. The Organization shall reimburse
 7 the state five cents per month per account
 8 to meet a portion of the cost.
 9 Hospitalization insurance payments shall
 10 be deducted in two equal installments each
 11 month.

NYSTROM of Boone

1 Amend House File 1197, page 6, by striking
 2 all after the word "religion" in line 23, all of
 3 lines 24, 25 and 26, and through the word
 4 "enterprise" in line 27.

EWELL of Black Hawk
 HANSEN of Black Hawk

1 Amend House File 1215, page 4, line 2, by insert-
 2 ing after the word "shall" the following:
 3 "publish three notices in a newspaper of general
 4 circulation in each county in which a portion of the
 5 right-of-way is located, describing the location of
 6 the right-of-way and stating that the owner of abutting
 7 property will have an exclusive option to purchase the
 8 right-of-way abutting his property for a period of
 9 twenty-six weeks from the date of the third publica-
 10 tion of the notice. If the right-of-way is between
 11 property belonging to two different owners, the
 12 option of each owner extends only to the center of
 13 the right-of-way. If the property is sold to an
 14 owner, the Iowa conservation commission shall certify
 15 this fact to the secretary of state who shall execute
 16 a deed or other appropriate conveyance to the buyer.
 17 At the expiration of the twenty-six weeks period, if
 18 any of the property has not been sold to an owner,
 19 the Iowa conservation commission shall".

SARGISSON of Woodbury

1 Amend House File 1235 as follows:
 2 1. Page 2, by striking lines 10 through 14 and
 3 inserting in lieu thereof the following:
 4 "1. The owner of a farm unit and one member of the
 5 immediate family of the owner.
 6 2. The tenant of a farm unit and one member of the
 7 immediate family of the tenant.
 8 3. Any combination of the above but not to exceed
 9 two licenses per farm unit."

10 2. Page 2, lines 21 and 22, by striking the words
11 "one free license", and inserting in lieu thereof the
12 words "two free licenses".

CHRISTENSEN of Union

1 Amend the Senate amendment to House File 48 as
2 follows:
3 1. Line 64, by inserting after the word "state,"
4 the following:
5 "subject to the maximum trip distance schedule
6 in section three hundred twenty-one E point three
7 (321E.3) of the Code,".
8 2. By striking lines 70 through 77 inclusive.

KREAMER of Polk

1 Amend House File 643, page 3, by striking from lines
2 29 and 30 the words "one hundred" and inserting in
3 lieu thereof the word "thirty".

NORPEL of Jackson

1 Amend House File 689, Page 5, by striking lines
2 16 through 28 inclusive.

WELLS of Linn

1 Amend House File 689 as follows:
2 1. Page 2, line 1, by inserting after the word
3 "the" the words "peace officer".
4 2. Page 2, line 2, by striking the word "sheriffs'"
5 and inserting in lieu thereof the words "the sheriff
6 and his".
7 3. Page 2, line 4, by striking the words "the
8 county sheriff" and inserting in lieu thereof the
9 words "a director of public safety".
10 4. Page 2, line 20, by striking the words "the
11 county seat town" and inserting in lieu thereof the
12 words "all cities which have established retirement
13 systems pursuant to chapter four hundred eleven (411)
14 of the Code".
15 5. Page 2, line 32, by striking the word "If"
16 and inserting in lieu thereof the words "Except as
17 otherwise provided in this Act, if".
18 6. Page 2, line 34, by inserting after the period,
19 the following: "If the county contains one or more
20 cities of eight thousand or more population, a ma-
21 jority of the persons voting on the proposition resid-
22 ing in the cities of eight thousand or more popula-
23 tion and a majority of the persons voting on the
24 proposition residing outside the cities of eight
25 thousand or more population must approve the prop-
26 osition."
27 7. Page 3, line 2, by striking the words "six
28 months" and inserting in lieu thereof the words "one
29 year".
30 8. Page 3, line 3, by striking the word "The"
31 and inserting in lieu thereof the words "If the prop-

32 ostion is approved, the peace officer”.

33 9. Page 3, line 4, by striking the word “and”
34 and inserting in lieu thereof the words “sheriff,
35 sheriffs’ deputies, and”.

36 10. Page 3, line 6, by striking the words “the
37 county sheriff” and inserting in lieu thereof the
38 words “a director of public safety”.

39 11. Page 3, by striking lines 7 through 25, in-
40 clusive ,and inserting in lieu thereof the following:

41 Sec. 6. If the proposition is approved, a county
42 civil service commission for law enforcement purposes
43 shall be established. Except as otherwise provided
44 in this section, the commission shall be composed
45 of three members. One member shall be appointed by
46 the county board of supervisors, one member shall
47 be appointed by the chief judge of the judicial
48 district in which the county is located, and one
49 member shall be appointed by the county attorney of
50 the county. If only one city containing a population
51 of twenty-five thousand or more persons is located
52 within the county, the county civil service commission
53 shall consist of an additional two members selected
54 by the city council of the city containing a population
55 of twenty-five thousand or more persons. If two or
56 more cities, each containing populations of twenty-
57 five thousand or more persons, are located within
58 a county, the county civil service commission shall
59 consist of an additional two members, one additional
60 member selected by each of the city councils of the
61 two cities in the county with the highest populations.

62 Commission members shall be appointed within sixty
63 days following the date of the approval at the special
64 election. Appointees shall be electors of the county.
65 Terms of office shall be for six years, except the
66 initial members of the commission shall be appointed
67 as follows:

68 1. The member appointed by the board of supervisors
69 shall serve for a period of two years.

70 2. The member appointed by the county attorney
71 shall serve for a period of four years.

72 3. The member appointed by the district court
73 judge shall serve for a period of six years.

74 4. If two members are appointed by a city council,
75 one shall serve for a period of two years and one
76 shall serve for a period of four years.

77 5. If one member is appointed by a city council,
78 he shall serve for a period of six years.

79 Vacancies shall be filled for the unexpired term
80 in the same manner as the original appointment.

81 Civil service commissioners shall be eligible for
82 reappointment.

83 Sec. 7. The county civil service commission shall
84 select a public safety director to administer the
85 county law enforcement unit. He shall not be a member
86 of the classified civil service, and he shall serve

87 at the pleasure of the commission. He shall be
88 experienced and knowledgeable in law enforcement
89 procedures and techniques. The public safety director
90 shall perform the functions prescribed in chapter
91 three hundred sixty-five (365) of the Code for the
92 chief of police.

93 12. Page 3, line 30, by striking the word
94 "employees" and inserting in lieu thereof the word
95 "deputies".

96 13. Page 3, line 35, by striking the words "county
97 sheriff" and inserting in lieu thereof the words "di-
98 rector of public safety".

99 14. Page 4, line 2, by striking the words
100 "sheriffs' deputies" and inserting in lieu thereof
101 the words "deputies of the county law enforcement
102 unit".

103 15. Page 4, line 4, by striking the words "the
104 county sheriff" and inserting in lieu thereof the
105 words "a director of public safety".

106 16. Page 4, lines 13 and 14, by striking the words
107 "employee of a city police department" and inserting
108 in lieu thereof the words "member of a city civil
109 service system".

110 17. Page 4, line 17, by striking the words "deputy
111 sheriffs" and inserting in lieu thereof the words
112 "deputies of the county law enforcement unit".

113 18. Page 4, by striking lines 20 through 23, in-
114 clusive, and inserting in lieu thereof the words "of
115 the deputies. The commission shall set salaries which
116 shall be uniform for each group of the classified
117 service."

118 19. Page 4, by striking from lines 26 and 27 the
119 words "or which utilizes a city civil service commis-
120 sion".

121 20. Page 5, line 2, by inserting after the period
122 the following: "If a deputy of a county law enforce-
123 ment unit was formerly a member of a police retire-
124 ment system under chapter four hundred eleven (411)
125 of the Code, his contributions and the employer con-
126 tributions for him shall be transferred to the police
127 tirement system of the county law enforcement unit."

128 21. Page 5, by striking lines 16 through 28,
129 inclusive, and inserting in lieu thereof the following:

130 "Sec. 11. The classified civil service positions
131 covered by this Act shall include persons actually
132 serving as deputies, but shall not include the chief
133 deputy of the director of public safety. A chief
134 deputy serving with permanent rank under this Act
135 may be designated and retain his rank during the
136 period of his service as chief deputy and shall, upon
137 termination of his duties as chief deputy, revert
138 to his permanent rank."

139 22. Page 5, line 30, by striking the words "county
140 sheriff" and inserting in lieu thereof the words
141 "director of public safety".

142 23. Page 6, by striking lines 4 through 7, inclu-
143 sive, and inserting in lieu thereof the words "of
144 the county pursuant to law."

145 24. Page 6, line 19, by striking the words "one
146 hundred twenty" and inserting in lieu thereof the
147 word "fifty".

148 25. Amend the title as follows:

149 1. Page 1, line 2, by inserting after the first word
150 "the" the words "peace officer".

151 2. Page 1, line 3, by inserting after the word
152 "and" the words "sheriffs and".

KNOKE of Pottawattamie

1 Amend Senate File 1003, as amended and passed by
2 the Senate and reprinted, as follows:

3 1. Page 1, line 23, by striking everything after
4 the period, and by inserting in lieu thereof the
5 following:

6 "The board of supervisors may authorize an approved
7 legal aid program to collect such amounts due or
8 bring the person in default before the court for
9 contempt proceedings. The board may".

10 2. Page 1, by striking lines 24 and 25.

11 3. Page 1A, by striking in line 26 the word
12 "agency" and inserting in lieu thereof the words
13 "legal aid program".

KNOKE of Pottawattamie

1 Amend Senate File 1024, as amended and passed by
2 the Senate and reprinted, as follows:

3 1. Page 1, line 20, by striking the words
4 "prevailing local rate per hour" and
5 inserting in lieu thereof the words
6 "*minimum wage per hour or the prevailing*
7 *local rate per hour whichever is the*
8 *higher*".

9 2. Page 1, line 24, by inserting after the
10 period "*If a relief recipient claims ill*
11 *health and inability to work, judgment*
12 *of the relief recipient's state of health*
13 *should be determined by a physician.*
14 *The decision of the physician should*
15 *be the determinant factor.*"

16 3. Page 2, inserting after line 4, the
17 following new paragraph: "*The county*
18 *shall not reject a relief applicant's*
19 *aid on the basis that the applicant has*
20 *not worked off previous aid, if the*
21 *applicant has indicated intent to work*
22 *it off.*"

EWELL of Black Hawk

On motion by Varley of Adair, the House adjourned until
9:00 a.m., Tuesday, February 22, 1972.

JOURNAL OF THE HOUSE

Forty-fourth Calendar Day—Thirty-second Session Day

HALL OF THE HOUSE OF REPRESENTATIVES
DES MOINES, IOWA, TUESDAY, FEBRUARY 22, 1972

The House met pursuant to adjournment, Speaker Harbor in the chair.

Prayer was offered by the Reverend K. C. Martin, pastor of Our Lady of Victory Church, Davenport, Iowa.

The Journal of Monday, February 21, 1972, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Merlin Magill, Carroll, Iowa.

PRESENTATION OF VISITORS

Varley of Adair presented to the House the Honorable Roy A. Miller, former member of the House during the Sixtieth, Sixtieth Extra, Sixty-second and Sixty-third General Assemblies, representing Jones County.

Fisher of Greene presented to the House Lars H. Lindberg, a Youth for Understanding student from Skellettea, Sweden, who is attending school at East Greene High School, Grand Junction, Iowa.

The Speaker announced that the following visitors were present in the House chamber:

Forty students from Maquoketa School, Maquoketa, Iowa, accompanied by their instructor, Charlie Sheridan. By Norpel of Jackson.

Thirty-seven adult vocational-agriculture students from Solon High School, Solon, Iowa, accompanied by Curt Hansen. By Small of Johnson and Johnston of Johnson.

Twenty-two eighth grade students from Callanan Junior High School, Des Moines, Iowa, accompanied by their instructor, Jim Graeber. By Franklin of Polk.

PETITIONS FILED

The following petitions were received and placed on file:

By Waugh of Monona and Knoblauch of Carroll from eighty-nine residents of Crawford County favoring House File 95, relating to IPERS benefits.

By Holden of Scott from eighty-six residents of Scott County opposing any tavern or eating establishment selling alcoholic beverages on Sunday.

By Harbor of Mills from two hundred twenty-one registered voters opposing Senate File 356, relating to physical control of criminals and subversives.

ADOPTION OF COMMITTEE REPORT

The Chief Clerk announced the adoption of report of committee on Senate File 593, under Rule 35.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 110

Campbell of Washington called up for consideration **House Concurrent Resolution 110** filed on February 15, 1972, and found on page 455 of the House Journal, and moved its adoption.

Motion prevailed and the resolution was adopted.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 113

Blouin of Dubuque called up for consideration **House Concurrent Resolution 113** filed on February 17, 1972, and found on page 526 of the House Journal, and moved its adoption.

Motion prevailed and the resolution was adopted.

INTRODUCTION OF BILLS

House File 1243, by Gluba and Small, a bill for an act to provide property tax relief for persons sixty-two years of age or older or totally disabled.

Read first time and referred to committee on **ways and means**.

House File 1244, by Gluba (Nicholson), a bill for an act to require passenger restraining devices in school buses, and providing a penalty for noncompliance with the requirement.

Read first time and referred to committee on **schools**.

House File 1245, by Taylor, a bill for an act relating to candidates for public office in at-large elections.

Read first time and referred to committee on **state government**.

House File 1246, by committee on ways and means, a bill for an act relating to taxation of financial institutions.

Read first time and placed on the calendar.

SENATE MESSAGES CONSIDERED

Senate File 1010, a bill for an act relating to real estate broker trust funds.

Read first time and referred to committee on judiciary.

Senate File 1087, a bill for an act relating to the designation of the general assembly and acts thereof.

Read first time and referred to committee on judiciary.

Senate File 1096, a bill for an act relating to tax assessment procedures.

Read first time and referred to committee on ways and means.

Senate File 1110, a bill for an act to legalize a transfer of real property from the board of directors of the Prairie Community School District, Gowrie, Iowa, to Russell Jondle and Florence M. Jondle.

Read first time and referred to committee on judiciary.

Senate File 1125, a bill for an act to change the fiscal year of cities and towns, counties and other political subdivisions.

Read first time and passed on file.

Senate File 1134, a bill for an act relating to the regulation of trout fishing.

Read first time and referred to committee on conservation and recreation.

Senate File 1169, a bill for an act relating to references to the Internal Revenue Code in the computation of individual and corporate income tax and franchise tax.

Read first time and referred to committee on ways and means.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File 223, a bill for an act relating to licenses for professional boxing and wrestling.

CARROLL A. LANE, Secretary

REMOVED FROM NONCONTROVERSIAL CALENDAR
(Senate File 418)

We, the undersigned, respectfully request that Senate File 418 be removed from the noncontroversial calendar.

REX of Hamilton
KNOKE of Pottawattamie
SCHROEDER of Pottawattamie
KRUSE of O'Brien
CLARK of Lee

CONSIDERATION OF BILLS

WAYS AND MEANS CALENDAR

SENATE FILE 1125 SUBSTITUTED FOR HOUSE FILE 1175

Den Herder of Sioux asked and received unanimous consent to substitute Senate File 1125 for House File 1175.

Welden of Hardin asked and received unanimous consent that Rule 35 be suspended for the immediate consideration of Senate File 1125, a bill for an act to change the fiscal year of cities and towns, counties and other political subdivisions.

Welden of Hardin offered the following amendment from the floor and moved its adoption:

Amend Senate File 1125, page 9, by striking from line 28 the word "*December*" and inserting in lieu thereof the word "*February*".

A non-record roll call was requested.

The ayes were 38, nays 43.

The amendment lost.

Speaker Harbor in the chair at 9:55 a.m.

Welden of Hardin moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 1125)

The ayes were, 82:

Alt	Curtis	Fischer, H. O.	Kehe
Andersen	Den Herder	Fisher, C. R.	Kelly
Bergman	Doyle	Freeman	Kennedy
Bray	Drake	Grassley	Kinley
Camp	Dunton	Hamilton	Knoblauch
Campbell	Edelen	Hansen	Knoke
Christensen	Egenes	Hill	Kreamer
Clark	Ellsworth	Holden	Kruse
Cochran	Ewell	Husak	Lawson

Lipsky	Norpel	Schwieger	Trowbridge
Logemann	Nystrom	Scott	Uban
Mayberry	Pellett	Shaw	Varley
McCormick	Pelton	Siglin	Waugh
McElroy	Pierson	Sorg	Welden
Mendenhall	Priebe	Stanley	Wells
Menefee	Rex	Stokes	Willits
Middleswart	Rodgers	Strand	Winkelman
Miller	Roorda	Stromer	Wirtz
Moffitt	Sargisson	Strothman	Wyckoff
Mollett	Schmeiser	Tieden	Mr. Speaker
Monroe	Schroeder		

The nays were, 12:

Anania	Dougherty	Jesse	Nielsen
Bennett	Franklin	Johnston	Schwartz
Blouin	Gluba	Larson	Taylor

Absent or not voting, 6:

Goode	Patton	Skinner	Small
Millen	Radl		

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

MOTION TO RECONSIDER

(Senate File 1125)

I move to reconsider the vote by which Senate File 1125 passed the House on February 22, 1972.

TIEDEN of Clayton

HOUSE FILE 1175 WITHDRAWN

Den Herder of Sioux asked and received unanimous consent to withdraw House File 1175 from further consideration by the House.

UNFINISHED BUSINESS CALENDAR

The House resumed consideration of Senate File 428, a bill for an act to provide a unified trial court having district court judges and district court magistrates; to discontinue superior, justices of the peace, and police courts; and to establish traffic violations offices within the district court to receive uniform traffic violation penalties.

Kennedy of Chickasaw called up for consideration the Skinner motion to reconsider filed on February 17, 1972, and moved to reconsider the vote by which the Grassley, Holden, Radl amendment as amended was adopted on February 17, 1972, and found on pages 546 and 547 of the House Journal.

Roll call was requested by Kennedy of Chickasaw and Uban of Black Hawk.

On the question "Shall the motion to reconsider prevail?"

The ayes were, 49:

Alt	Hill	Mayberry	Schwieger
Andersen	Jesse	McCormick	Shaw
Blouin	Johnston	Millen	Skinner
Bray	Kelly	Moffitt	Small
Clark	Kennedy	Mollett	Sorg
Cochran	Kinley	Monroe	Stanley
Curtis	Knoblauch	Patton	Trowbridge
Dunton	Knoke	Pelton	Uban
Egenes	Kreamer	Pierson	Varley
Ellsworth	Larson	Priebe	Wells
Ewell	Lawson	Schmeiser	Willits
Franklin	Lipsky	Schwartz	Wirtz
Gluba			

The nays were, 49:

Anania	Grassley	Miller	Siglin
Bennett	Hamilton	Nielsen	Stokes
Bergman	Hansen	Norpel	Strand
Camp	Holden	Nystrom	Stromer
Campbell	Husak	Pellett	Strothman
Christensen	Kehe	Radl	Taylor
Den Herder	Kruse	Rex	Tieden
Dougherty	Logemann	Rodgers	Waugh
Doyle	McElroy	Roorda	Welden
Drake	Mendenhall	Sargisson	Winkelman
Edelen	Menefee	Schroeder	Wyckoff
Fischer, H. O.	Middleswart	Scott	Mr. Speaker
Freeman			

Absent or not voting, 2:

Goode Fisher, C. R.

The motion lost.

By unanimous consent, the following amendments were withdrawn:

The amendment filed by Knoke of Pottawattamie on February 17, 1972, and found on pages 553 and 554 of the House Journal.

The amendment filed by Doyle of Woodbury on February 17, 1972, and found on page 554 of the House Journal.

The amendment filed by Fischer of Grundy on February 17, 1972, and found on page 554 of the House Journal.

The amendment filed by Hansen of Black Hawk and Ellsworth of Dubuque on February 17, 1972, and found on page 554 of the House Journal.

The amendment filed by Doyle, et al., on February 17, 1972, and found on page 554 of the House Journal.

The amendment filed by Jesse of Polk on February 17, 1972, and found on page 556 of the House Journal.

The amendment filed by Hansen of Black Hawk and Ellsworth of Dubuque on February 17, 1972, and found on pages 554 through 556 of the House Journal.

The amendment filed by the committee on judiciary and found on pages 328 through 347 of the House Journal.

The amendment filed by Pelton of Clinton and Knoke of Pottawattamie on February 16, 1972, and found on page 521 of the House Journal.

The amendment filed by Camp of Clinton on January 13, 1972, and found on pages 59 and 60 of the House Journal.

The amendment filed by Knoke of Pottawattamie on February 16, 1972, and found page 521 of the House Journal.

The amendment filed by the committee on judiciary on February 14, 1972, and found on pages 449 through 451 of the House Journal.

Uban of Black Hawk and Jesse of Polk asked and received unanimous consent that the Chief Clerk be authorized to correct the title.

Grassley of Butler offered the following amendment from the floor and moved its adoption:

Amend the title to Senate File 428 by striking all of said title after the word "Act" and inserting in lieu thereof the following: "relating to district court judges, justice of the peace courts, mayors' courts, police courts, and local law-enforcement personnel."

The amendment was adopted.

Pelton of Clinton moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 428)

The ayes were, 65:

Anania	Clark	Ellsworth	Holden
Andersen	Curtis	Fischer, H. O.	Husak
Bennett	Den Herder	Fisher, C. R.	Knoblauch
Bergman	Doyle	Freeman	Kruse
Camp	Drake	Gluba	Logemann
Campbell	Dunton	Grassley	McCormick
Christensen	Edelen	Hamilton	McElroy

Mendenhall	Pierson	Siglin	Trowbridge
Menefee	Priebe	Skinner	Varley
Middleswart	Radl	Small	Waugh
Millen	Rodgers	Stokes	Welden
Miller	Roorda	Strand	Willits
Mollett	Sargisson	Stromer	Winkelman
Nielsen	Schroeder	Strothman	Wirtz
Norpel	Scott	Taylor	Wyckoff
Nystrom	Shaw	Tieden	Mr. Speaker
Pellett			

The nays were, 33:

Alt	Hill	Larson	Rex
Blouin	Jesse	Lawson	Schmeiser
Bray	Johnston	Lipsky	Schwartz
Cochran	Kelly	Mayberry	Schwieger
Dougherty	Kennedy	Moffitt	Sorg
Egenes	Kinley	Monroe	Stanley
Ewell	Knoke	Patton	Uban
Franklin	Kreamer	Pelton	Wells
Hansen			

Absent or not voting, 2:

Goode	Kehe
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

MOTION TO RECONSIDER

(Senate File 428)

MR. SPEAKER: I move to reconsider the vote by which Senate File 428 passed the House on February 22, 1972.

CURTIS of Cherokee
McCORMICK of Delaware
PRIEBE of Kossuth
SKINNER of Polk
TROWBRIDGE of Floyd
WILLITS of Polk

EXPLANATION OF VOTE

(Senate File 428)

I wish to explain my vote on the motion to reconsider the Grassley, et al., amendment to Senate File 428. I voted "no" on this motion to reconsider as a matter of parliamentary procedure to hopefully force the bill into conference committee. I am opposed to the continuation of the JP system as evidenced by my vote against the Grassley, et al., amendment on Thursday, February 17, 1972, found on page 547 of the House Journal. For this reason, I voted against Senate File 428 on final passage on Tuesday, February 22, 1972, as evidenced by the record of this day's proceedings in the House Journal. Additionally, I favor the continued recognition of municipal courts.

HANSEN of Black Hawk

Speaker pro tempore Millen in the chair at 11:00 a.m.

WAYS AND MEANS CALENDAR
HOUSE FILE 1197 PENDING

House File 1197, a bill for an act relating to property tax exemptions, was taken up for consideration.

Den Herder of Sioux offered the following amendment filed by him and moved its adoption:

Amend House File 1197, page 2, by striking from lines 5 and 6 the following: “, including state university, university of science and technology, and school lands”.

The amendment was adopted.

Speaker Harbor in the chair at 11:40 a.m.

Schwartz of Wapello offered the following amendment from the floor:

Amend House File 1197 as follows:
Page 4, by striking all of Section 5.

(House File 1197 and Schwartz amendment pending at recess.)

The House was recessed until 1:30 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Harbor in the chair.

The House resumed consideration of **House File 1197** and the Schwartz amendment.

Schwartz of Wapello moved the adoption of his amendment.

Roll call was requested by Kelly of Woodbury and Freeman of Buena Vista.

On the question “Shall the amendment be adopted?”

The ayes were, 49:

Alt	Ewell	Lipsky	Schwartz
Anania	Franklin	Logemann	Schwieger
Andersen	Freeman	Mayberry	Scott
Bennett	Gluba	McCormick	Shaw
Blouin	Hansen	Mendenhall	Small
Bray	Husak	Middleswart	Stromer
Christensen	Jesse	Moffitt	Trowbridge
Clark	Johnston	Norpel	Uban
Cochran	Kelly	Patton	Waugh
Dougherty	Kennedy	Priebe	Wells
Doyle	Knoblauch	Rodgers	Willits
Dunton	Lawson	Sargisson	Wyckoff
Ellsworth			

The nays were, 48:

Bergman	Holden	Monroe	Sorg
Camp	Kehe	Nielsen	Stanley
Campbell	Kinley	Nystrom	Stokes
Curtis	Knoke	Pellett	Strand
Den Herder	Kreamer	Pelton	Strothman
Drake	Kruse	Pierson	Taylor
Edelen	Larson	Radl	Tieden
Egenes	McElroy	Rex	Varley
Fischer, H. O.	Menefee	Roorda	Welden
Grassley	Millen	Schmeiser	Winkelman
Hamilton	Miller	Schroeder	Wirtz
Hill	Mollett	Siglin	Mr. Speaker

Absent or not voting, 3:

Fisher, C. R.	Goode	Skinner
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The amendment was adopted.

Ellsworth of Dubuque offered the following amendment filed by him and Dunton of Keokuk and moved its adoption:

Amend House File 1197 as follows:

1. Page 3, by striking line 35.
2. Page 4, by striking lines 1 through 10, inclusive.
3. Page 8, by striking lines 20, 21, and 22 and renumbering the following subsections.

Roll call was requested by Ellsworth of Dubuque and Kreamer of Polk.

On the question "Shall the amendment be adopted?"

The ayes were, 48:

Anania	Fischer, H. O.	Mendenhall	Schwartz
Bennett	Franklin	Middleswart	Scott
Blouin	Freeman	Moffitt	Skinner
Camp	Gluba	Monroe	Small
Christensen	Hamilton	Norpel	Taylor
Clark	Husak	Patton	Tieden
Cochran	Jesse	Priebe	Uban
Dougherty	Kelly	Radl	Waugh
Doyle	Kinley	Rex	Wells
Dunton	Knoblauch	Rodgers	Wirtz
Ellsworth	Mayberry	Sargisson	Wyckoff
Ewell	McCormick	Schmeiser	Mr. Speaker

The nays were, 49:

Alt	Holden	Menefee	Siglin
Andersen	Johnston	Miller	Sorg
Bergman	Kehe	Miller	Stanley
Bray	Kennedy	Mollett	Stokes
Campbell	Knoke	Nielsen	Strand
Curtis	Kreamer	Nystrom	Stromer
Den Herder	Kruse	Pellett	Strothman
Drake	Larson	Pelton	Trowbridge
Edelen	Lawson	Pierson	Varley
Egenes	Lipsky	Roorda	Welden
Grassley	Logemann	Schroeder	Willits
Hansen	McElroy	Schwieger	Winkelman
Hill			

Absent or not voting, 3:

Fisher, C. R. Goode Shaw

The amendment lost.

McCormick of Delaware asked and received unanimous consent to withdraw the amendment filed by McCormick, et al., on February 16, 1972, and found on page 520 of the House Journal.

(House File 1197 pending at adjournment.)

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File 520, a bill for an act relating to the Iowa Tort Claims Act.

Also: That the Senate has refused to concur in the House amendment to the Senate amendment to House File 1011, a bill for an act relating to the attainment of the age of majority.

CARROLL A. LANE
Secretary of the Senate

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Miller of Marshall, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate Files 1005 and 1046.

ELIZABETH R. MILLER
Chairman, House Committee
JOHN C. RHODES
Chairman, Senate Committee

Report adopted.

BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House the following bills: Senate Files 1005 and 1046.

REPORTS OF COMMITTEES

Pelton of Clinton, from the committee on judiciary, submitted the following reports:

MR. SPEAKER: Your committee on judiciary, to whom was referred Senate File 336, a bill for an act relating to replevin bonds, begs leave to report it

has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same **do pass.**

PELTON of Clinton, Chairman

Also:

MR. SPEAKER: Your committee on judiciary, to whom was referred **Senate File 1026**, a bill for an act relating to actions arising out of injuries or damages to property, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same **do pass.**

PELTON of Clinton, Chairman

Camp of Clinton, from the committee on appropriations, submitted the following report:

MR. SPEAKER: Your committee on appropriations, to whom was referred **Senate File 590**, a bill for an act relating to a renal disease program and to provide an appropriation therefor, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same **be amended as follows, and when so amended the bill do pass:**

Amend Senate File 590, as amended and passed by the Senate, as follows:

1. Page 2, by striking lines 13 through 17, inclusive, and inserting in lieu thereof the following:

“composed of eleven persons selected as follows:

1. Three members from a list submitted by the kidney foundation of Iowa, inc.
2. One member from a list submitted by the Iowa regional medical program, but not a member of the nominating groups named in subsections one (1), three (3), four (4), or six (6) of this section.
3. One member from a list submitted by the Iowa nurses' association.
4. One member from a list submitted by the Iowa hospital association.
5. Two members representing the at-large consumers of health care in Iowa.
6. Three members representing the Iowa medical profession involved in renal dialysis and transplantation.

Each member shall”.

2. Page 2, by striking lines 32 through 35, inclusive, and inserting in lieu thereof the following:

3. “The commissioner, in consultation with the renal disease advisory committee, shall:

1. Establish financial criteria for participation in this program based on the resources of the individual patient with due regard to all sources of funds, including, but not limited to, insurance policies, private foundations, medicare, welfare, veterans' benefits, and vocational rehabilitation programs.

2. Establish fees charged to the state for services rendered under approved programs.

3. Extend financial assistance to provide medical, nursing, pharmaceutical, and technical services to persons suffering from chronic renal failure and requiring dialysis treatment or a kidney transplant as determined by qualified physicians.

4. Lease dialysis machines to the patient or to the existing approved dialysis treatment center. No patient residing in Iowa and able to participate in a home dialysis program shall cease to be gainfully employed nor forced to become an indigent or a transient due to insufficient funds for the continuance of dialysis treatment within the patient's home.

5. Institute within existing approved dialysis treatment centers a training program for home dialysis patients and for technical assistants, and investigate the availability of funds through regional medical funding and other sources in order to carry out the provisions of this subsection.

6. Adopt necessary rules and regulations regarding the residency requirements for dialysis patients and, in consultation with the department of social services, determine policies affecting indigent patients who are not residents of the state of Iowa."

3. Page 3, by striking lines 1 through 21, inclusive.

4. Page 3, line 23, by striking the words and figures "biennium beginning July 1, 1971" and inserting in lieu thereof the words and figures "fiscal year beginning July 1, 1972".

5. Page 3, line 25, by striking the words and figure "one hundred thousand (100,000)" and inserting in lieu thereof the words and figure "thirty thousand (30,000)".

CAMP of Clinton, Chairman

Rex of Hamilton, from the committee on county government, submitted the following report:

MR. SPEAKER: Your committee on county government, to whom was referred **Senate File 1090**, a bill for an act relating to commitment of alcohol and drug addicts, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same **be amended as follows, and when so amended the bill do pass:**

Amend Senate File 1090, as amended and passed by the Senate as follows:

Page 2, by inserting after line 10 the following:

"The county board of supervisors may pay for treatment in a private facility if such facility is approved by the commissioner of the department

of social services. If the county board of supervisors agrees to pay the cost of hospitalization and treatment in an approved private facility, the costs shall be paid from the county state institution fund."

REX of Hamilton, Chairman

AMENDMENTS FILED

1 Amend House File 1197 as follows:

2 1. Page 3, strike line 35, and strike lines 1
3 through 5 on page 4, and insert in lieu thereof the
4 following:

5 *"However, if an institution or society whose*
6 *property is otherwise exempt from property taxes*
7 *under this subsection owns property which is used*
8 *by the institution or society as a parsonage, manse,*
9 *or rectory for the living quarters of a pastor,*
10 *minister, rabbi, or priest, the institution or*
11 *society shall receive an exemption on each such*
12 *dwelling to the extent of ten thousand dollars of*
13 *actual value. To qualify for the exemption on a*
14 *parsonage, manse, or rectory, the institution or*
15 *society shall file with the county assessor annually,*
16 *on or before July first, a claim for the exemption*
17 *on forms provided by the county assessor. Also, the*
18 *exemption".*

19 2. Page 8, strike lines 20, 21, and 22 and insert
20 in lieu thereof the following:

21 "6. 'RESTRICTIONS. The exemptions granted under
22 the provisions of this section shall extend to only
23 the first ten thousand dollars of actual value of
24 each single family dwelling and the land on which it
25 is constructed, which is used as a single family
26 dwelling by an employee of the organization, society,
27 or agency whose property is otherwise exempt from
28 property taxes. To qualify for this restricted
29 exemption, the organization, society, or agency
30 must file with the county assessor annually, on or
31 before July first, a claim for the exemption on forms
32 provided by the county assessor.' "

EGENES of Story

1 Amend House File 1197 page 7, by striking lines
2 3 through 24, inclusive, and inserting in lieu
3 thereof the following:

4 3. "HEALTH CARE FACILITIES. All grounds, build-
5 ings, and personal property owned and operated by or
6 under construction by any organization or society as
7 a health care facility as defined under the provisions
8 of chapter one hundred thirty-five C (135C) of the
9 Code shall be exempt from taxation, except that
10 portion of any property licensed under the provisions
11 of chapter one hundred thirty-five C (135C) of the
12 Code as a custodial or boarding facility which shall

13 be subject to property taxes as provided under the
 14 provisions of this subsection. A health care facility
 15 may receive an exemption for any portion of the
 16 licensed custodial or boarding facility which is
 17 occupied by a person who is the recipient of public
 18 assistance other than retirement benefits and the
 19 amount of such exemption shall be determined by
 20 dividing the number of persons residing in that
 21 portion of the health care facility licensed as a
 22 custodial or boarding facility who are receiving
 23 public assistance other than retirement benefits by
 24 the total number of persons residing in that portion
 25 of a health care facility licensed as a custodial or
 26 boarding facility on the date of assessment and the
 27 percentage so determined shall be that portion of
 28 the health care facility licensed as a custodial or
 29 boarding facility which shall be exempt from taxation.
 30 The grounds on which the health care facility is
 31 located shall be taxable in the same proportion as
 32 the buildings."

HOLDEN of Scott

1 Amend House File 1197, page 7, line 32, by
 2 inserting after the word "schools" the following:
 3 "or the Accrediting Commission for Business
 4 Schools".

FISCHER of Grundy

1 Amend House File 1197, page 7, line 32, by insert-
 2 ing after the word "Schools" the words "or health
 3 professional schools which are accredited by special
 4 accreditation by agencies designated by the federal
 5 Comprehensive Health Manpower Training Act".

KREAMER of Polk

1 Amend House File 1197, page 7, by inserting after
 2 the period in line 17 the following:
 3 "However, the property licensed as a custodial or
 4 boarding facility is entitled to a credit against its
 5 property tax annually in an amount equal to the maxi-
 6 mum amount of a single homestead exemption as deter-
 7 mined under section four hundred twenty-five point one
 8 (425.1), subsections two (2) and four (4), of the Code,
 9 for each person residing for over six months of the
 10 year in the custodial or boarding facility who would
 11 be eligible for the double homestead exemption pro-
 12 vided in section four hundred twenty-five point one
 13 (425.1), subsection five (5), of the Code, if he were
 14 residing in his own homestead, but not to exceed the
 15 total amount of annual property tax levied on the
 16 property licensed as a custodial or boarding facility."

KREAMER of Polk

1 Amend House File 1197, page 3, by inserting after
 2 line 7 the following new paragraph:

3 *"The provisions of this section shall not apply*
 4 *to auditoriums and memorial halls constructed pur-*
 5 *suant to chapter 37 and governed under the provi-*
 6 *sions of chapter 374A and such auditoriums and*
 7 *memorial halls shall be exempt from property taxes."*

KELLY of Woodbury
 KINLEY of Polk

1 Amend House File 1197, page 8, by inserting
 2 after line 33, the following new sections:
 3 Sec. 10. "Section 404.15, Code of Iowa 1971,
 4 is hereby repealed."
 5 Sec. 11. "House File five hundred seventy-four
 6 (574), section eighty-two (82), is amended as
 7 follows:
 8 Sec. 82. A city may certify taxes to be levied
 9 by the county on all taxable property within the city
 10 limits, for all city government purposes. [However,
 11 the tax levied by a city on lots of more than ten
 12 acres and the personal property thereon, occupied and
 13 used for agricultural or horticultural purposes, may
 14 not exceed one and one-fourth mills in any year.] A
 15 city's tax levy for the general fund may not exceed
 16 thirty mills on the dollar of taxable value in any
 17 tax year, except for levies authorized in section
 18 ninety-three (93) of this Act."

KINLEY of Polk
 LARSON of Story

1 Amend House File 1197 as follows:
 2 1. Page 9, insert after line 6 the following new
 3 sections:
 4 Sec. 10. DEFINITIONS. For the purposes of sec-
 5 tions ten (10) through twenty-three (23) of this Act,
 6 unless the context otherwise requires:
 7 1. "Income" means net income as defined in sec-
 8 tion four hundred twenty-two point seven (422.7) of
 9 the Code, plus the amount of capital gains excluded
 10 from the adjusted gross income, interest and dividends
 11 from federal securities, social security benefits,
 12 public assistance, and income from other tax-exempt
 13 retirement or pension plans.
 14 2. "Household income" means all income received
 15 by all persons residing in the homestead during the
 16 calendar year and related to the person claiming the
 17 credit allowed under sections eleven (11) and twelve
 18 (12) of this Act.
 19 3. "Homestead" means homestead as defined in
 20 section four hundred twenty-five point eleven (425.11)
 21 of the Code, and in addition, includes a dwelling
 22 or part of a multi-dwelling which is owned or rented
 23 and in which the person claiming the credit actually
 24 resides and a mobile home which is owned or rented
 25 by the person claiming the credit and in which the
 26 person claiming the credit actually resides.

27 4. "Property taxes accrued" means property taxes
 28 levied on the homestead in the preceding year,
 29 exclusive of special assessments, delinquent interest,
 30 and charges, and collectible during the same year
 31 in which the credit is claimed.

32 5. "Gross rent" means rental paid solely for the
 33 right of occupancy of a homestead, exclusive of charges
 34 for any utilities, services, furnishings, or personal
 35 property appliances furnished by the landlord as a
 36 part of the rental agreement.

37 6. "Rent constituting property taxes accrued"
 38 means twenty percent of the gross rent actually paid
 39 on the homestead during the preceding calendar year
 40 by the person claiming the credit.

41 7. "Net worth" means total assets less liabilities.

42 Sec. 11. CLAIM FOR PROPERTY TAXES ACCRUED. Any
 43 person sixty-five years of age or older or totally
 44 disabled shall be entitled to a credit against his
 45 state income taxes for property taxes accrued based
 46 upon his income. The amount of any credit shall be
 47 computed in accordance with the following table:

48		He shall be entitled to
49		a credit against his
50	If the person's	state income taxes equal
51	income is:	to the amount by which
52		the property taxes ac-
53		crued on his homestead
54		exceeds the following
55		percentage of his income:
56	Less than \$1,000	2%
57	\$1,000 or over and less than \$2,000	3%
58	\$2,000 or over and less than \$3,000	4%
59	\$3,000 or over and less than \$4,000	5%
60	\$4,000 or over and less than \$5,000	6%

61 Any person sixty-five years of age or older or
 62 totally disabled with an income of five thousand
 63 dollars or more shall receive no credit against his
 64 income taxes for property taxes accrued.

65 When a homestead is owned by two or more persons
 66 as joint tenants or tenants in common and one or more
 67 of these persons does not reside in the homestead,
 68 the property tax is the same proportion of the property
 69 tax levied as the proportion of ownership of the
 70 homestead by the person claiming the credit.

71 When a person owns his homestead for part of the
 72 preceding year and rents it or a different homestead
 73 for a part of that year, property tax means only the
 74 property tax on the homestead multiplied by the
 75 percentage of twelve months that the property was
 76 owned and occupied by the person claiming the credit.

77 In no event shall the credit exceed the amount
 78 of the property tax accrued.

79 Sec. 12. CLAIM FOR RENT CONSTITUTING PROPERTY
 80 TAXES ACCRUED. Any person who is not eligible for
 81 the credit provided in section eleven (11) of this

82 Act and who is sixty-five years of age or older or
 83 is totally disabled shall be entitled to a credit
 84 against his state income taxes for rent constituting
 85 property taxes accrued based upon his income. The
 86 amount of any credit shall be computed in accordance
 87 with the following table:

88		He shall be entitled to
89		a credit against his
90	If the person's	state income taxes equal
91	income is:	to the amount by which
92		the rent constituting
93		property taxes accrued
94		on his homestead exceeds
95		the following percentage
96		of his income:
97	Less than \$1,000	2%
98	\$1,000 or over and less than \$2,000	3%
99	\$2,000 or over and less than \$3,000	4%
100	\$3,000 or over and less than \$4,000	5%
101	\$4,000 or over and less than \$5,000	6%

102 Any person sixty-five years of age or older or
 103 totally disabled with an income of five thousand
 104 dollars or more shall receive no credit against his
 105 income taxes for rent constituting property taxes
 106 accrued.

107 If a claim is based on rent constituting property
 108 taxes accrued, the person filing the claim shall have
 109 rented property during the entire preceding calendar
 110 year for which he has filed a claim.

111 If two or more persons are qualified to file a
 112 claim for the same homestead, the persons shall
 113 determine which person shall file the claim.

114 **Sec. 13. CLAIM AS INCOME TAX CREDIT OR REBATE.**

115 If the allowable amount of a claim filed pursuant
 116 to section eleven (11) or section twelve (12) of this
 117 Act exceeds the income tax due on the person's income,
 118 or if there is no income tax due, the amount of the
 119 claim not used as a credit against state income taxes
 120 shall be paid to the person making the claim from
 121 the state general fund.

122 No interest shall be paid on any payment made to
 123 any person under the provisions of this Act.

124 **Sec. 14. LIMITATIONS.** The credit allowed under
 125 the provisions of this Act shall be subject to the
 126 following limitations:

127 1. Only one person shall be entitled to the credit
 128 for a homestead for each taxable year.

129 2. The amount of the credit which shall be allowed
 130 in any taxable year for property taxes accrued or
 131 rent constituting property taxes accrued shall not
 132 exceed three hundred dollars.

133 3. Any person with a net worth exceeding twenty-
 134 five thousand dollars shall not be eligible for any
 135 benefits provided under the provisions of this Act.

136 **Sec. 15. SATISFACTION OF OUTSTANDING TAX**
 137 **LIABILITIES.** The amount of any claim payable under
 138 the provisions of sections ten (10) through twenty-

139 three (23) of this Act may be applied by the director
140 of revenue against any outstanding tax liability in
141 the name of the state against the person filing the
142 claim.

143 Sec. 16. FILING DATE. No credit for property
144 taxes accrued or rent constituting property taxes
145 accrued shall be allowed or paid unless the claim
146 is filed with the director of revenue on or before
147 April thirtieth of each year.

148 In the case of illness, absence, or disability,
149 or when in the judgment of the director of revenue
150 good cause exists, he may extend the time for filing
151 a claim under the provisions of sections ten (10)
152 through twenty-three (23) of this Act for a period
153 not to exceed six months.

154 Sec. 17. PROOF OF CLAIM. Every person filing
155 a claim for a credit for property taxes accrued or
156 rent constituting property taxes accrued shall submit
157 the following proof to the director of revenue to
158 support his claim:

159 1. That he was sixty-five years of age or totally
160 disabled before midnight on December thirty-first
161 of the year immediately preceding the year the tax
162 was levied or the rent was paid.

163 2. Statement of income.

164 3. Receipts for rent paid.

165 4. Name and address of the owner or manager of
166 property rented.

167 5. Property taxes accrued.

168 6. Description of the property claimed as a
169 homestead.

170 7. A statement that the property taxes accrued
171 have been or will be paid.

172 8. A statement that there are no delinquent
173 property taxes on the homestead.

174 Sec. 18. ADMINISTRATION—RULES AND REGULATIONS.

175 The director of revenue shall prescribe and make
176 available the necessary forms with instructions for
177 persons filing a claim for property taxes accrued
178 or rent constituting property taxes accrued, including
179 forms which may be filed as a part of the individual
180 state income tax return.

181 The director may promulgate rules and regulations
182 necessary to carry out the provisions of sections
183 ten (10) through twenty-three (23) of this Act.

184 Sec. 19. AUDIT OF CLAIM. The department of revenue
185 shall audit each claim and if the director of revenue
186 determines that the amount of the credit has been
187 incorrectly determined, he shall redetermine the claim
188 and give notice, in writing, to the person filing
189 the claim of the redetermination and his reasons for
190 it. The redetermination shall be final unless appealed
191 to the district court within thirty days of receipt
192 of the notice.

193 Sec. 20. DENIAL OF CLAIM. Any person who files

194 a claim for a credit which is excessive and was filed
 195 with fraudulent intent shall be guilty of a
 196 misdemeanor. Upon conviction of the person filing
 197 the excessive and fraudulent claim, the director of
 198 revenue shall disallow the credit in full. If the
 199 claim has been paid or the credit allowed against
 200 income tax, the credit allowed against the income
 201 tax shall be canceled and the amount paid shall be
 202 recovered in the same manner as delinquent income
 203 taxes.

204 Sec. 21. RENTAL DETERMINATION. If a homestead
 205 is rented by a person from another person under
 206 circumstances deemed by the director of revenue not
 207 to be at arm's length, the director may determine
 208 the rent constituting property taxes accrued at arm's
 209 length, and the determination shall be final.

210 Sec. 22. APPEALS. If a claim for property taxes
 211 accrued or rent constituting property taxes accrued
 212 is filed and is disallowed in whole or in part, the
 213 person making such claim may appeal the disallowance
 214 by filing a petition in the district court within
 215 thirty days from the date the claim was disallowed.

216 Sec. 23. Any person sixty-five years of age or
 217 older or totally disabled shall receive the credit
 218 provided in sections ten (10) through twenty-two (22)
 219 of this Act, in addition to any credits received
 220 pursuant to chapter four hundred twenty-five (425)
 221 of the Code.

222 2. Amend the title, page 1, line 1, by inserting
 223 after the word "exemptions" the words "and credits".

COCHRAN of Webster
 GLUBA of Scott
 LARSON of Story
 SMALL of Johnson
 DUNTON of Keokuk
 BENNETT of Polk
 ANANIA of Polk
 NORPEL of Jackson
 BLOUIN of Dubuque
 MIDDLESWART of Warren
 KNOBLAUCH of Carroll
 BRAY of Scott
 FRANKLIN of Polk
 DOUGHERTY of Monroe
 EWELL of Black Hawk
 McCORMICK of Delaware
 KENNEDY of Chickasaw
 RODGERS of Dallas
 DOYLE of Woodbury
 JESSE of Polk
 MAYBERRY of Webster
 PRIEBE of Kossuth
 WILLITS of Polk
 PATTON of Buchanan
 MONROE of Des Moines

SCOTT of Cerro Gordo
 WELLS of Linn
 SCHWARTZ of Wapello
 JOHNSTON of Johnson
 SARGISSON of Woodbury

1 Amend House File 1197, page 4, by striking from
 2 line 5 the word "*taxation*" and inserting in lieu
 3 thereof the words "*property taxes levied for municipi-*
 4 *pal services if the property is located within the*
 5 *territorial limits of any city or town, or taxable*
 6 *for county services if the property is located out-*
 7 *side the territorial limits of any city or town,*
 8 *provided that any taxes levied shall not include any*
 9 *levy for debt service funds*".

FISHER of Greene

1 Amend House File 1197 as follows:
 2 1. Page 8, line 21, by striking the words
 3 "this section" and inserting in lieu thereof the
 4 words "section four hundred twenty-seven point one
 5 (427.1) of the Code".
 6 2. Page 8, by inserting after the period in
 7 line 22, the words "However, if the single-family
 8 dwelling is constructed on property which would
 9 otherwise be exempt under the provisions of this
 10 section, and the lot or parcel on which the dwelling
 11 is constructed is not readily identifiable, such lot
 12 or parcel shall be construed not to exceed one-half
 13 acre in size. This subsection does not apply to
 14 property held under the provisions of subsection
 15 eleven (11) of section four hundred twenty-seven
 16 point one (427.1) of the Code.

ROORDA of Jasper

1 Amend House File 1197 as follows:
 2 1. Page 9, by inserting after line 6, the following new
 3 section:
 4 "Sec. Section four hundred twenty-two point thirty-
 5 three (422.33), Code 1971, is amended by striking subsections
 6 one (1) and two (2) and inserting in lieu thereof the following
 7 new subsections:
 8 1. ALLOCATION OF BUSINESS INCOME. If the trade or
 9 business of the taxpayer is carried on entirely within the state,
 10 the tax shall be imposed on the entire net income. Any tax-
 11 payer having income from business activity which is taxable
 12 both within and without this state, other than the rendering of
 13 purely personal services by an individual, shall allocate and
 14 apportion his net income as provided in this section.
 15 2. DEFINITIONS. As used in this section, unless the
 16 context otherwise requires:
 17 a. 'Business income' means income arising from trans-
 18 actions and activity in the regular course of the taxpayer's
 19 trade or business and includes income from tangible and
 20 intangible property if the acquisition, management, and dis-
 21 position of the property constitute integral parts of the tax-

22 payer's regular trade or business operations.

23 b. 'Commercial domicile' means the principal place from
24 which the trade or business of the taxpayer is directed or managed.

25 c. 'Compensation' means wages, salaries, commissions, and
26 any other form of remuneration paid to employees for personal
27 services.

28 d. 'Nonbusiness income' means all income other than business
29 income.

30 e. 'Sales' means all gross receipts of the taxpayer not allocated
31 under subsections four (4) through eight (8) of this section.

32 f. 'State' means any state of the United States, the District of
33 Columbia, the Commonwealth of Puerto Rico, any territory or poss-
34 session of the United States, and any foreign country or political
35 subdivision thereof.

36 3. NONRESIDENT TAXPAYER. For purposes of allocation and
37 apportionment of income under this chapter, a taxpayer is taxable in
38 another state if:

39 a. In that state he is subject to a net income tax, a franchise tax
40 measured by net income, a franchise tax for the privilege of doing
41 business, or a corporate stock tax; or

42 b. That state has jurisdiction to subject the taxpayer to a net
43 income tax regardless of whether, in fact, the state does or does not.

44 4. ALLOCATION OF CERTAIN ITEMS. Rents and royalties from
45 real or tangible personal property, capital gains, interest, dividends,
46 or patent or copyright royalties, to the extent that they constitute
47 nonbusiness income, shall be allocated as provided in subsections
48 five (5) through (8) of this section.

49 5. RENTS AND ROYALTIES.

50 a. Net rents and royalties from real property located in this state
51 are allocable to this state.

52 b. Net rents and royalties from tangible personal property are
53 allocable to this state:

54 (1) If and to the extent that the property is utilized in this state;
or

55 (2) In their entirety if the taxpayer's commercial domicile is in
56 this state and the taxpayer is not organized under the laws of or tax-
able

57 in the state in which the property is utilized.

58 c. The extent of utilization of tangible personal property in a
59 state is determined by multiplying the rents and royalties by a frac-
tion.

60 the numerator of which is the number of days of physical location of
the

61 property in the state during the rental or royalty period in the taxable
62 year and the denominator of which is the number of days of physical
63 location of the property everywhere during all rental or royalty

periods
64 in the taxable year. If the physical location of the property during
the

65 rental or royalty period is unknown or unascertainable by the tax-
payer

66 tangible personal property is utilized in the state in which the property
67 was located at the time the rental or royalty payer obtained possession.

68 6. PROPERTY—CAPITAL GAINS AND LOSSES.

69 a. Capital gains and losses from sales of real property located in

70 this state are allocable to this state.

71 b. Capital gains and losses from sales of tangible personal property
72 are allocable to this state if:

73 (1) The property had a situs in this state at the time of the
74 sale; or

75 (2) The taxpayer's commercial domicile is in this state and
76 the taxpayer is not taxable in the state in which the property had
77 a situs.

78 c. Capital gains and losses from sales of intangible personal
79 property are allocable to this state if the taxpayer's commercial
80 domicile is in this state.

81 7. INTEREST AND DIVIDENDS. Interest and dividends are
82 allocable to this state if the taxpayer's commercial domicile is
83 in this state.

84 8. PATENTS AND COPYRIGHTS.

85 a. Patent and copyright royalties are allocable to this state:

86 (1) If and to the extent that the patent or copyright is utilized
87 by the taxpayer in this state; or

88 (2) If and to the extent that the patent or copyright is utilized
89 by the taxpayer in a state in which the taxpayer is not taxable and
90 the taxpayer's commercial domicile is in this state.

91 b. A patent is utilized in a state to the extent that it is employed
92 in production, fabrication, manufacturing, or other processing in
93 the state or to the extent that a patented product is produced in the
94 state. If the basis of receipts from patent royalties does not permit
95 allocation to states or if the accounting procedures do not reflect
96 state of utilization, the patent is utilized in the state in which the
97 taxpayer's commercial domicile is located.

98 c. A copyright is utilized in a state to the extent that printing or
99 other publication originates in the state. If the basis of receipts
100 from copyright royalties does not permit allocation to states or if
101 the accounting procedures do not reflect states of utilization, the
102 copyright is utilized in the state in which the taxpayer's commercial
103 domicile is located.

104 9. BUSINESS INCOME. All business income shall be apportioned
105 to this state by multiplying the income by a fraction, the numerator
106 of which is the property factor plus the payroll factor plus the sales
107 factor, and the denominator of which is three.

108 10. PROPERTY FACTOR. The property factor is a fraction, the
109 numerator of which is the average value of the taxpayer's real and
110 tangible personal property owned or rented and used in this state
111 during the tax period and the denominator of which is the average
112 value of all the taxpayer's real and tangible personal property owned
113 or rented and used during the tax period.

114 11. PROPERTY OWNED AND RENTED. Property owned by the
115 taxpayer is valued at its original cost. Property rented by the taxpayer
116 is valued at eight times the net annual rental rate. Net annual rental
117 rate is the annual rental rate paid by the taxpayer less any annual
118 rental rate received by the taxpayer from subrentals.

119 12. AVERAGE VALUE OF PROPERTY. The average value of
120 property shall be determined by averaging the values at the beginning
121 and ending of the tax period but the director of revenue may require
122 the averaging of monthly values during the tax period if reasonably
123 required to reflect properly the average value of the taxpayer's
property.

124 13. PAYROLL FACTOR. The payroll factor is a fraction, the
 125 numerator of which is the total amount paid in this state during
 126 the tax period by the taxpayer for compensation, and the denominator
 127 of which is the total compensation paid everywhere during the tax
 128 period.

129 14. COMPENSATION. Compensation is paid in this state if:

130 a. The individual's service is performed entirely within the state;
 131 or

132 b. The individual's service is performed both within and without
 133 the state, but the service performed without the state is incidental
 134 to the individual's service within the state; or

135 c. Some of the service is performed in the state and:

136 (1) The base of operations or, if there is no base of operations,
 137 the place from which the service is directed or controlled is in the
 138 state; or

139 (2) The base of operations or the place from which the service
 140 is directed or controlled is not in any state in which some part of the
 141 service is performed, but the individual's residence is in this state.

142 15. SALES FACTOR. The sales factor is a fraction, the numerator
 143 of which is the total sales of the taxpayer in this state during the tax
 144 period, and the denominator of which is the total sales of the taxpayer
 145 everywhere during the tax period.

146 16. LOCAL SALES OF TANGIBLE PROPERTY. Sales of tangible
 147 personal property are in this state if:

148 a. The property is delivered or shipped to a purchaser, other than
 149 the United State government, within this state regardless of the f.o.b.
 150 point or other conditions of the sale; or

151 b. The property is shipped from an office, store, warehouse,
 152 factory, or other place of storage in this state and:

153 (1) The purchaser is the United States government; or

154 (2) The taxpayer is not taxable in the state of the purchaser.

155 17. OTHER SALES. Sales, other than sales of tangible
 156 personal property, are in this state if:

157 (a) The income-producing activity is performed in this state;

158 (b) The income-producing activity is performed both in and
 159 outside this state and a greater proportion of the income-producing
 160 activity is performed in this state than in any other state, based
 161 on costs of performance.

162 18. ADDITIONAL METHODS OF DETERMINING BUSINESS
 163 SITUS. If the allocation and apportionment provisions of this
 164 section do not fairly represent the extent of the taxpayer's business
 165 activity in this state, the taxpayer may petition for or the director
 166 of revenue may require, in respect to all or any part of the taxpayer's
 167 business activity, if reasonable:

168 (a) Separate accounting except to a unitary business;

169 (b) The exclusion of any one or more of the factors;

170 (c) The inclusion of one or more additional factors which will
 171 fairly represent the taxpayer's business activity in this state; or

172 (d) The employment of any other method to effectuate an
 173 equitable allocation and apportionment of the taxpayer's income."

174 2. Page 1, line 1, by adding after the word "exemptions",
 175 the words, "and to the corporation income tax".

RADL of Linn
 COCHRAN of Webster

1 Amend the Senate amendment to House File 734 as
2 follows:
3 1. Line 243, by striking the word "Neither".
4 2. By striking lines 244, 245, and 246.
5 3. By inserting after line 447 the following new
6 subsection:
7 "The taking from the person who is advertising any
8 product or service and who has leased the sign,
9 display, or other advertising device."

HOLDEN of Scott

1 Amend the Senate amendment to House File 734 as
2 follows:
3 1. Line 493, by striking the words "upon thirty"
4 and inserting in lieu thereof the words "in the
5 manner provided in section three hundred six B point
6 five (306B.5) of the Code."
7 2. By striking lines 494 through 520, inclusive.
8 3. By striking lines 557 through 595, inclusive,
9 and inserting in lieu thereof the following:
10 **306B.5 NUISANCE DECLARED.** Any advertising device
11 erected adjacent to any interstate system after May
12 21, 1965, which violates the provisions of this
13 chapter or fails to comply with the rules and regula-
14 tions promulgated by the state highway commission is
15 a public nuisance. The state highway commission shall
16 give thirty days' notice, by certified mail, to the
17 owner of the device and to the owner of the land on
18 which said device is located to remove such advertis-
19 ing device if it is a prohibited device or cause it
20 to conform to rules and regulations if it is an
21 authorized device. If the landowner or owner of the
22 device fails to act within thirty days as required in
23 the notice, the state highway commission may file a
24 petition in the district court of the county where
25 such advertising device is located to abate the
26 nuisance. If the court finds that a violation exists
27 as alleged in the petition, the court shall enter an
28 order of abatement against the person or persons
29 erecting or maintaining such advertising device and
30 against the person or persons owning the land on
31 which such advertising device is located. *If the*
32 *landowner or owner of the sign fails to act within*
33 *the time required in the order of abatement, the*
34 *state highway commission may give thirty days'*
35 *notice to the landowner or owner of the sign and at*
36 *the end of thirty days the commission may enter upon*
37 *the land and remove the sign. Such entry after*
38 *notice, shall not be deemed a trespass and the com-*
39 *mission may be aided by injunction to abate the*
40 *nuisance and to insure peaceful entry. The cost of*
41 *removal, including any fees and costs or expenses as*
42 *may arise out of any action brought by the commission*
43 *to insure peaceful entry and removal, shall be*
44 *assessed against the owner of the sign. Should the*
45 *owner of the sign fail to promptly pay such fees,*

46 *costs or expenses, the commission shall proceed to*
 47 *advertise and sell the sign for purposes of collect-*
 48 *ing the same. Any balance from the total receipts*
 49 *of the sale after deducting the fees, costs and*
 50 *expenses, including those of the sale, shall be paid*
 51 *to the owner of the sign; however, if in the opinion*
 52 *of the commission, the proceeds of the sale will not*
 53 *be sufficient to justify the expense involved, the*
 54 *sign may be used, scrapped, dismantled, or otherwise*
 55 *destroyed or disposed of by the commission as it sees*
 56 *fit.*

HOLDEN of Scott

1 Amend House File 1156 as follows:
 2 Page 6, line 1, by striking the words "property
 3 and".

SKINNER of Polk
 KENNEDY of Chickasaw

1 Amend Senate File 1024 as amended and passed by
 2 the Senate and reprinted as follows:
 3 1. Page 1, by striking lines 24 and 25, and
 4 inserting in lieu thereof the following:
 5 "streets and highways".
 6 2. Page 1A, by striking in line 26 all the
 7 words before the word "Counties".
 8 3. Page 1A, by striking all after the period in
 9 line 26 and by striking lines 27 and 28, and by in-
 10 sserting in lieu thereof the following:
 11 "Persons performing labor under this section
 12 shall be covered by the Iowa workmen's compensation
 13 law, and counties requiring such labor shall provide
 14 insurance for such persons. Subject to the".

KNOKE of Pottawattamie

On motion by Varley of Adair, the House adjourned until
 9:00 a.m., Wednesday, February 23, 1971.

JOURNAL OF THE HOUSE

Forty-fifth Calendar Day—Thirty-third Session Day

HALL OF THE HOUSE OF REPRESENTATIVES
DES MOINES, IOWA, WEDNESDAY, FEBRUARY 23, 1972

The House met pursuant to adjournment, Speaker Harbor in the chair.

Prayer was offered by the Reverend Jacob Ehman, pastor of the First Baptist Church, Steamboat Rock, Iowa.

The Journal of Tuesday, February 22, 1972, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. D. J. Soll, Denison, Iowa.

PRESENTATION OF VISITORS

Hamilton of Cedar presented to the House the Honorable A. L. Mensing, former member of the House during the Forty-fourth, Forty-fifth, Forty-sixth, Forty-seventh, Forty-eighth, Forty-ninth, Sixtieth, Sixtieth Extra and Sixty-second General Assemblies, representing Cedar County.

Pellett of Cass presented to the House the Honorable Harvey W. Johnson, former member of the House during the Forty-sixth, Forty-eighth, Sixtieth, Sixtieth Extra and Sixty-second General Assemblies, representing Audubon County.

Freeman of Buena Vista presented to the House the Honorable Francis Johnson, former member of the House during the Forty-first, Forty-second, Forty-third and Forty-fourth General Assemblies, serving as Speaker of the House during the Forty-fourth General Assembly, representing Dickinson County.

The Speaker announced that the following visitors were present in the House chamber:

Twenty students from St. Joseph's School, Neola, Iowa, accompanied by Sister Janice. By Schroeder of Pottawattamie.

Seventeen Y-Teen girls from South Page, Iowa, and twenty-eight Y-Teen girls from Villisca, Iowa, accompanied by Mrs.

Farmer and Pat Eno. By Harbor of Mills and McElroy of Fremont.

Twenty students from the Des Moines Area Community College, Des Moines, Iowa, accompanied by Harold Gamm. By Willets of Polk.

Ten Y-Teen girls from Essex High School, Essex, Iowa, accompanied by Duane Wallin. By Harbor of Mills and McElroy of Fremont.

Forty sixth grade students from Twin Rivers School District, Ottosen, Iowa, accompanied by Miss Fox, Mr. How and Mrs. Turley. By Priebe of Kossuth.

PETITIONS FILED

The following petitions were received and placed on file:

By Winkelman of Calhoun from forty-six residents of Arthur, Iowa, opposing lowering the drinking age to eighteen.

By Kelly of Woodbury from one hundred thirty-nine residents of Woodbury County; Schwartz of Wapello from three hundred twenty-four residents; and Doyle of Woodbury from one hundred sixty-two residents of Woodbury County, opposing Senate File 356, relating to permits to carry concealed weapons and violations of act.

By Husak of Tama from sixty-three members of the United Methodist Church of Tama, Iowa; Sargisson of Woodbury from forty-four members of Rustin Avenue Methodist Church, Sioux City, Iowa; and Wyckoff of Benton from ninety-five residents of Benton County, all opposing the taxing of church properties.

ADOPTION OF COMMITTEE REPORTS

The Chief Clerk announced the adoption of reports of committees on Senate Files 336, 590, 1026 and 1090, under Rule 35.

INTRODUCTION OF BILLS

House File 1247, by committee on appropriations, a bill for an act making appropriations to the educational radio and television facility board for the purpose of making capital improvements.

Read first time and placed on the calendar.

House File 1248, by Gluba, Bennett, McCormick, Small, Dougherty, Wells, Willits, Ewell, Middleswart, Blouin, Anania, Jesse, Larson, Dunton, Knoblauch, Husak and Mayberry, a bill for an act relating to benefits under the Iowa employment security law.

Read first time and referred to committee on **human and industrial relations**.

House File 1249, by committee on social services, a bill for an act relating to eligibility for old-age assistance.

Read first time and **placed on the calendar**.

House File 1250, by committee on county government, a bill for an act relating to the membership on the county boards of supervisors.

Read first time and **placed on the calendar**.

House File 1251, by committee on state government, a bill for an act regulating governmental purchases.

Read first time and **placed on the calendar**.

SENATE MESSAGES CONSIDERED

Senate File 223, a bill for an act relating to licenses and the tax on the sale of tickets of admission for professional boxing and wrestling matches.

Read first time and referred to committee on **commerce**.

Senate File 520, a bill for an act relating to the Iowa Tort Claims Act.

Read first time and referred to committee on **judiciary**.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has amended the House amendment to, concurred in House amendment as amended and passed Senate File 334, a bill for an act relating to vending of foods and beverages.

Also: That the Senate has concurred in House amendment to and passed Senate File 1014, a bill for an act relating to money advances by county boards of supervisors.

CARROLL A. LANE, Secretary

SENATE AMENDMENT TO HOUSE AMENDMENT
TO SENATE FILE 334

- 1 Amend the House amendment to Senate File 334 by striking lines
- 2 4 through 8, inclusive.

HOUSE CONCURRENT RESOLUTION 115

By Camp, Skinner, Grassley, Kinley, Alt, Schroeder and Bennett

Whereas, roof mounted signals for automobiles known as "life lites" have been developed by a resident of Des Moines and may presently be purchased; and

Whereas, automobiles equipped with life lites possess greater flashing illumination than automobiles without such signals; and

Whereas, it appears that the use by automobiles of life lites will help to improve Iowa's safety record and reduce the accident rate; *Now Therefore*,

Be It Resolved by the House of Representatives, the Senate Concurring, That the department of public safety is hereby encouraged to conduct a study to determine the extent of the usefulness and safety aspects of the life lite and the feasibility of the installation of the life lite on all automobiles.

Be It Further Resolved, That the department of public safety is hereby encouraged to apply for federal funds in cooperation with the manufacturer of life lite to finance the study.

Laid over under Rule 25.

HOUSE CONCURRENT RESOLUTION 116

By Small, Johnston, Bray, Curtis, Egenes, Gluba, Grassley, Kehe,
Kennedy, Knoke, Kreamer, Lipsky, Mayberry, Pelton,
Schwieger, Shaw, Skinner, Sorg, Stanley and Tieden

Whereas, the University of Iowa was founded by the first General Assembly of the state of Iowa on February 25, 1847, fifty-nine days after Iowa was admitted to the Union; and

Whereas, the citizens of the new state of Iowa, through their first elected representatives, established the University of Iowa in recognition of the need for teachers and other educated leadership to serve the frontier society; and

Whereas, the University of Iowa has been a pioneer in public higher education by:

1. Being the first state university to admit women on an equal basis with men.
2. Founding the first law school west of the Mississippi River.
3. Developing a university medical center for the Midwest.
4. Establishing the nation's first nonsectarian school of religion at a state university.
5. Accepting for academic credit the creative arts and developing among others the disciplines of actuarial science, health science, speech pathology, orthopedic surgery, hydraulics, educational measurement, astrophysical science; and

Whereas, during its one hundred twenty-five years of service to this state, this nation and the world, the University of Iowa has awarded some one hundred fifteen thousand degrees to more than one hundred thousand individuals, and has aided in the education of as many others who pursued or completed their studies elsewhere; and

Whereas, the University of Iowa today serves some twenty thousand students in residence at its ten colleges and additional thousands who take part in university programs for continuing education, *Now Therefore*,

Be It Resolved by the House of Representatives, the Senate Concurring, That the Sixty-fourth General Assembly of the state of Iowa expresses gratitude for the many contributions which the University of Iowa has made to the development of this state and extends congratulations to this great institution on the one hundred twenty-fifth anniversary of its founding.

Laid over under Rule 25.

HOUSE CONCURRENT RESOLUTION 117

By Knoke, Schroeder, and Mollett

Whereas, the Missouri River is part of the pioneer legacy bequeathed to those people who reside in the heart of America; and

Whereas, the Missouri River can once again bring hours of pleasure into the lives of many; and

Whereas, the cities of Council Bluffs, Bellevue, and Omaha, and the counties of Pottawattamie, Mills, Douglas, Sarpy, and Washington, representatives of Mayor Eugene A. Leahy's committee on Economic Development, the Omaha Chamber of Commerce, the Omaha Industrial Foundation, the Douglas County Soil and Water Conservation Committee, University of Nebraska and private business and industry have given hours of time to bring forth a workable plan for developing scenic parkways, linear parks, better places for people to live and make a living in harmony with the river, environmental improvement, and wildlife refuges, *Now Therefore*,

Be It Resolved by the House of Representatives, the Senate Concurring, That the General Assembly recognizes the time spent by the various organizations, committees, businesses and industry in improving the fifty-four mile path from Blair to Bellevue and commend them for their fine thoughts and works and encourage them to continue until the desired results are obtained.

Laid over under Rule 25.

CONSIDERATION OF BILLS

REGULAR CALENDAR

House File 1089, a bill for an act relating to the Iowa insurance guaranty association, with report of committee recommending amendment and passage, was taken up for consideration.

Alt of Polk offered the following amendment filed by the committee on commerce and moved its adoption:

Amend House File 1089 as follows:

1. Page 2, lines 4 and 5, by striking the words

"on and after July 1, 1972".

2. Page 2, line 6, by adding after the word "surety," the word "*fidelity*,".

3. Page 3, line 12, by adding a period after the word "jurisdiction" and striking the words "subsequent to July 1, 1970".

4. Page 3, by striking lines 13 through 18.

5. Page 4, line 25, by striking the period after the word "directors" and adding ", subject to the approval of the commissioner."

The amendment was adopted.

Alt of Polk offered the following amendment filed by him and moved its adoption:

Amend House File 1089 as follows:

1. Page 3, line 31, by striking the word "member" and inserting in lieu thereof the word [members].

The amendment was adopted.

Alt of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1089)

The ayes were, 88:

Alt	Franklin	Mayberry	Schmeiser
Anania	Freeman	McCormick	Schroeder
Andersen	Gluba	McElroy	Schwartz
Bennett	Grassley	Mendenhall	Scott
Bergman	Hamilton	Menefee	Siglin
Blouin	Hansen	Middleswart	Sorg
Bray	Hill	Millen	Stanley
Camp	Holden	Miller	Stokes
Campbell	Husak	Moffitt	Strand
Christensen	Jesse	Mollett	Stromer
Clark	Johnston	Monroe	Strothman
Cochran	Kehe	Nielsen	Taylor
Curtis	Kelly	Norpel	Tieden
Den Herder	Kennedy	Nystrom	Trowbridge
Dougherty	Kinley	Patton	Varley
Doyle	Knoblauch	Pellett	Waugh
Dunton	Knoke	Pelton	Wells
Edelen	Kreamer	Pierson	Willits
Egenes	Kruse	Priebe	Winkelman
Ellsworth	Larson	Rodgers	Wirtz
Ewell	Lawson	Roord	Wyckoff
Fischer, H. O.	Lipsky	Sargisson	Mr. Speaker

The nays were, 2:

Radl Uban

Absent or not voting, 10:

Drake	Logemann	Shaw	Small
Fisher, C. R.	Rex	Skinner	Welden
Goode	Schwieger		

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

MOTION TO RECONSIDER AMENDMENT
(House File 1197)

I move to reconsider the vote by which the Ellsworth, Dunton amendment to House File 1197 failed to be adopted by the House on February 22, 1972.
MOLLETT of Pottawattamie

MOTION TO RECONSIDER AMENDMENT
(House File 1197)

I move to reconsider the vote by which the Ellsworth, Dunton amendment to House File 1197 failed to be adopted by the House on February 22, 1972.
KENNEDY of Chickasaw

BUSINESS PENDING
(House File 1197 Pending)

The House resumed consideration of **House File 1197**, a bill for an act relating to property tax exemptions.

Mollett of Pottawattamie called up for consideration his motion to reconsider and moved to reconsider the vote by which the **Ellsworth-Dunton** amendment failed to be adopted by the House on February 22, 1972.

Roll call was requested by **Johnston** of Johnson and **Cochran** of Webster.

On the question "Shall the vote by which the **Ellsworth-Dunton** amendment failed to be adopted be reconsidered?"

The ayes were, 46:

Anania	Franklin	Mayberry	Schmeiser
Bennett	Freeman	McCormick	Schwartz
Blouin	Gluba	Mendenhall	Schwieger
Bray	Holden	Mollett	Scott
Camp	Husak	Monroe	Small
Clark	Jesse	Norpel	Taylor
Cochran	Johnston	Patton	Tieden
Dougherty	Kelly	Priebe	Waugh
Doyle	Kennedy	Radl	Wells
Dunton	Kinley	Rodgers	Wirtz
Ellsworth	Knoblauch	Sargisson	Wyckoff
Ewell	Larson		

The nays were, 48:

Alt	Hamilton	Millen	Stanley
Andersen	Hansen	Miller	Stokes
Bergman	Hill	Moffitt	Strand
Campbell	Kehe	Nielsen	Stromer
Christensen	Knoke	Nystrom	Strothman
Curtis	Kreamer	Pellett	Trowbridge
Den Herder	Kruse	Pelton	Uban
Drake	Lawson	Pierson	Varley
Edelen	Lipsky	Roorda	Welden
Egenes	Logemann	Schroeder	Willits
Fischer, H. O.	McElroy	Siglin	Winkelman
Grassley	Menefee	Sorg	Mr. Speaker

Absent or not voting, 6:

Fisher, C. R.	Middleswart	Shaw	Skinner
Goode	Rex		

The motion lost.

Nielsen of Shelby offered the following amendment filed by him and Welden of Hardin:

Amend House File 1197 as follows:

1. Page 3, by striking line 35.
2. Page 4, by striking lines 1 through 4, inclusive.
3. Page 4, by striking from line 5 the words "property shall be subject to taxation." and inserting in lieu thereof the words "*The exemption granted under the provisions of this subsection to the property of religious institutions and societies used as parsonages, manses, rectories, and other single-family residences used by a pastor, minister, priest, or rabbi, shall be extended only to the first twenty thousand dollars of actual value of one parsonage, manse, rectory, or other such residence for each house of worship and the actual value of any such residence in excess of twenty thousand dollars shall be subject to taxation in the same manner as other real property.*"

Speaker pro tempore Millen in the chair at 10:50 a.m.

Kinley of Polk moved that the amendment filed by him on February 16, 1972, and found on page 519 of the House Journal be substituted for the Nielsen amendment.

Roll call was requested by Skinner of Polk and Kinley of Polk.

On the question "Shall the Kinley amendment be substituted for the Nielsen amendment?"

The ayes were, 44:

Anania	Franklin	Mendenhall	Schwieger
Bennett	Freeman	Middleswart	Scott
Blouin	Gluba	Monroe	Skinner
Bray	Husak	Norpel	Small
Christensen	Jesse	Patton	Taylor
Cochran	Johnston	Priebe	Tieden
Dougherty	Kennedy	Radl	Trowbridge
Doyle	Kinley	Rodgers	Uban
Dunton	Knoblauch	Sargisson	Wells
Ellsworth	Mayberry	Schmeiser	Willits
Ewell	McCormick	Schwartz	Wyckoff

The nays were, 50:

Alt	Hansen	Miller	Stanley
Andersen	Harbor	Moffitt	Stokes
Bergman	Hill	Mollett	Strand
Camp	Holden	Nielsen	Stromer
Campbell	Kehe	Nystrom	Strothman
Clark	Knoke	Pellett	Varley
Curtis	Kreamer	Pierson	Waugh
Den Herder	Kruse	Rex	Welden
Drake	Lawson	Roorda	Winkelman
Edelen	Lipsky	Schroeder	Wirtz
Egenes	Logemann	Shaw	Mr. Speaker
Grassley	McElroy	Siglin	(Millen)
Hamilton	Menefee	Sorg	

Absent or not voting, 6:

Fischer, H. O.	Goode	Larson	Pelton
Fisher, C. R.	Kelly		

The motion lost.

(House File 1197 pending at recess.)

The House was recessed until 1:30 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Harbor in the chair.

The House resumed consideration of House File 1197 and the Nielsen amendment.

Varley of Adair moved the previous question on House File 1197 and all motions and amendments filed thereto.

A non-record roll call was requested.

The ayes were 51, nays 32.

The motion prevailed.

Priebe of Kossuth offered, from the floor, the following amendment to the amendment and moved its adoption:

Amend the Nielsen, Welden amendment to House File 1197, filed February 16, 1972, by inserting at the end

of line 14 the following: "four hundred communicant members of a".

Roll call was requested by Priebe of Kossuth and Skinner of Polk.

On the question "Shall the amendment to the amendment be adopted?"

The ayes were, 83:

Anania	Jesse	Norpel	Scott
Bennett	Kennedy	Patton	Skinner
Cochran	Kinley	Priebe	Taylor
Dougherty	Knoblauch	Radl	Uban
Doyle	Larson	Rodgers	Wells
Dunton	McCormick	Sargisson	Willits
Franklin	Middleswart	Schmeiser	Wirtz
Gluba	Monroe	Schwartz	Wyckoff
Husak			

The nays were, 56:

Alt	Fisher, C. R.	Mendenhall	Shaw
Andersen	Freeman	Menefee	Siglin
Bergman	Hamilton	Millen	Sorg
Blouin	Hansen	Miller	Stanley
Bray	Hill	Moffitt	Stokes
Campbell	Holden	Mollett	Strand
Christensen	Kehe	Nielsen	Strothman
Clark	Knoke	Nystrom	Tieden
Curtis	Kreamer	Pellett	Trowbridge
Drake	Kruse	Pierson	Varley
Edelen	Lawson	Rex	Waugh
Egenes	Lipsky	Roorda	Welden
Ellsworth	Logemann	Schroeder	Winkelman
Ewell	McElroy	Schwieger	Mr. Speaker

Absent or not voting, 11:

Camp	Goode	Kelly	Small
Den Herder	Grassley	Mayberry	Stromer
Fischer, H. O.	Johnston	Pelton	

The amendment to the amendment lost.

Nielsen of Shelby moved the adoption of the Nielsen-Welden amendment.

Roll call was requested by Kennedy of Chickasaw and Nielsen of Shelby.

On the question "Shall the amendment be adopted?"

The ayes were, 68:

Alt	Cochran	Edelen	Grassley
Andersen	Curtis	Egenes	Hamilton
Bergman	Den Herder	Ellsworth	Kehe
Camp	Dougherty	Fischer, H. O.	Kelly
Christensen	Doyle	Freeman	Knoblauch
Clark	Dunton	Gluba	Kreamer

Kruse	Moffitt	Sargisson	Stromer
Lawson	Mollett	Schmeiser	Strothman
Lipsky	Monroe	Schroeder	Tieden
Logemann	Nielsen	Schwieger	Trowbridge
Mayberry	Nystrom	Scott	Varley
McCormick	Pellett	Shaw	Waugh
McElroy	Pierson	Siglin	Welden
Mendenhall	Radl	Small	Winkelman
Middleswart	Rex	Stanley	Wirtz
Millen	Rodgers	Stokes	Wyckoff
Miller	Roorda	Strand	Mr. Speaker

The nays were, 26:

Anania	Hill	Larson	Skinner
Bennett	Holden	Menefee	Sorg
Blouin	Husak	Norpel	Taylor
Bray	Jesse	Patton	Uban
Campbell	Kennedy	Priebe	Wells
Ewell	Kinley	Schwartz	Willits
Franklin	Knoke		

Absent or not voting, 6:

Drake	Goode	Johnston	Pelton
Fisher, C. R.	Hansen		

The amendment was adopted.

Egenes of Story asked and received unanimous consent to withdraw the amendment filed by her on February 22, 1971, and found on pages 614 and 615 of the House Journal.

Kinley of Polk asked and received unanimous consent to withdraw the amendment filed by him on February 16, 1972, and found on page 519 of the House Journal and the amendment filed on February 17, 1972, and found on page 552 of the House Journal.

Kelly of Woodbury offered the following amendment filed by him and Kinley of Polk and moved its adoption:

Amend House File 1197, page 3, by inserting after line 7 the following new paragraph:

"The provisions of this section shall not apply to auditoriums and memorial halls constructed pursuant to chapter 37 and governed under the provisions of chapter 374A and such auditoriums and memorial halls shall be exempt from property taxes."

A non-record roll call was requested.

The ayes were 46, nays 40.

The amendment was adopted.

Fisher of Greene asked and received unanimous consent to withdraw the amendment filed by him on February 22, 1972, and found on page 622 of the House Journal.

Stanley of Linn offered the following amendment from the floor, filed by him and Kreamer of Polk:

Amend House File 1197, page 4, by inserting after line 10, the following new paragraph:

"The exemption granted under the provisions of this subsection to property of religious institutions and societies shall not be extended to any property used as a regional or statewide administrative facility which provides services to religious institutions or societies within the state or a designated area."

Stanley of Linn asked and received unanimous consent to withdraw the amendment.

By unanimous consent the following amendments were withdrawn:

The amendment filed by Andersen of Woodbury on February 16, 1972, and found on page 520 of the House Journal.

The amendment filed by Doyle of Woodbury on February 17, 1972, and found on page 552 of the House Journal.

The amendment filed by Andersen of Woodbury and Doyle of Woodbury on February 17, 1972, and found on page 552 of the House Journal.

Speaker pro tempore Millen in the chair at 3:00 p.m.

Ewell of Black Hawk offered the following amendment filed by him and Hansen of Black Hawk and moved its adoption:

Amend House File 1197, page 6, by striking all after the word "religion" in line 23, all of lines 24, 25 and 26, and through the word "enterprise" in line 27.

Roll call was requested by Ewell of Black Hawk and Blouin of Dubuque.

On the question "Shall the amendment be adopted?"

The ayes were, 49:

Anania	Freeman	Mendenhall	Scott
Andersen	Gluba	Middleswart	Skinner
Bennett	Hill	Monroe	Small
Blouin	Husak	Norpel	Stromer
Bray	Jesse	Patton	Taylor
Clark	Kelly	Pierson	Trowbridge
Cochran	Kennedy	Priebe	Uban
Dougherty	Kinley	Radl	Waugh
Doyle	Knoblauch	Rodgers	Welden
Dunton	Larson	Sargisson	Wells
Ellsworth	Mayberry	Schmeiser	Willits
Ewell	McCormick	Schwartz	Wyckoff
Franklin			

The nays were, 44:

Alt	Hamilton	Miller	Siglin
Bergman	Holden	Moffitt	Sorg
Camp	Kehe	Mollett	Stanley
Campbell	Knoke	Nielsen	Stokes
Christensen	Kreamer	Nystrom	Strand
Curtis	Kruse	Pellett	Strothman
Den Herder	Lawson	Pelton	Varley
Drake	Lipsky	Rex	Winkelman
Edelen	Logemann	Roorda	Wirtz
Egenes	McElroy	Schroeder	Mr. Speaker
Fisher, C. R.	Menefee	Shaw	(Millen)
Grassley			

Absent or not voting, 7:

Fischer, H. O.	Hansen	Johnston	Tieden
Goode	Harbor	Schwieger	

The amendment was adopted.

Holden of Scott offered the following amendment filed by him and moved its adoption:

Amend House File 1197 page 7, by striking lines 3 through 24, inclusive, and inserting in lieu thereof the following:

3. "HEALTH CARE FACILITIES. All grounds, buildings, and personal property owned and operated by or under construction by any organization or society as a health care facility as defined under the provisions of chapter one hundred thirty-five C (135C) of the Code shall be exempt from taxation, except that portion of any property licensed under the provisions of chapter one hundred thirty-five C (135C) of the Code as a custodial or boarding facility which shall be subject to property taxes as provided under the provisions of this subsection. A health care facility may receive an exemption for any portion of the licensed custodial or boarding facility which is occupied by a person who is the recipient of public assistance other than retirement benefits and the amount of such exemption shall be determined by dividing the number of persons residing in that portion of the health care facility licensed as a custodial or boarding facility who are receiving public assistance other than retirement benefits by the total number of persons residing in that portion of a health care facility licensed as a custodial or boarding facility on the date of assessment and the percentage so determined shall be that portion of the health care facility licensed as a custodial or boarding facility which shall be exempt from taxation. The grounds on which the health care facility is located shall be taxable in the same proportion as the buildings."

Roll call was requested by Holden of Scott and Kreamer of Polk.

On the question "Shall the amendment be adopted?"

The ayes were, 34:

Bergman	Grassley	Middleswart	Stokes
Camp	Harbor	Miller	Strothman
Curtis	Holden	Nystrom	Uban
Den Herder	Kreamer	Pelton	Varley
Drake	Kruse	Roorda	Winkelman
Edelen	Lipsky	Schwieger	Wirtz
Egenes	Logemann	Shaw	Mr. Speaker
Fischer, H. O.	McElroy	Siglin	(Millen)
Fisher, C. R.	Menefee	Stanley	

The nays were, 57:

Alt	Freeman	Mendenhall	Schwartz
Anania	Gluba	Moffitt	Scott
Andersen	Hamilton	Mollett	Skinner
Bennett	Hill	Monroe	Small
Blouin	Husak	Nielsen	Sorg
Bray	Jesse	Norpel	Strand
Campbell	Kennedy	Patton	Stromer
Christensen	Kinley	Pellett	Taylor
Clark	Knoblauch	Priebe	Tieden
Cochran	Knoke	Radl	Trowbridge
Dougherty	Larson	Rex	Waugh
Doyle	Lawson	Rodgers	Wells
Dunton	Mayberry	Sargisson	Willits
Ellsworth	McCormick	Schmeiser	Wyckoff
Ewell			

Absent or not voting, 9:

Franklin	Johnston	Kelly	Schroeder
Goode	Kehe	Pierson	Welden
Hansen			

The amendment lost.

Roorda of Jasper offered the following amendment filed by him and moved its adoption:

Amend House File 1197 by striking on page 7, line 7, the words and figures "or 501 (C) (4)" and inserting in lieu thereof the words and figures "501 (C) (4) or 501 (C) (8)".

The amendment was adopted.

Freeman of Buena Vista offered the following amendment filed by Freeman, et al., and moved its adoption:

Amend House File 1197 as follows:

1. Page 7, line 10, by striking the comma and inserting in lieu thereof a period.
2. Page 7, by striking lines 11 through 20, inclusive.
3. Page 7, line 21, by striking the words "include any levy for debt service funds."

Roll call was requested by Freeman of Buena Vista and Ellsworth of Dubuque.

Rule 70 was invoked.

On the question "Shall the amendment be adopted?"

The ayes were, 50:

Anania	Gluba	Mendenhall	Schwieger
Andersen	Hamilton	Moffitt	Scott
Bennett	Husak	Monroe	Small
Blouin	Jesse	Norpel	Strand
Campbell	Kelly	Nystrom	Stromer
Christensen	Kennedy	Patton	Taylor
Cochran	Knoblauch	Pellett	Tieden
Dougherty	Larson	Priebe	Trowbridge
Doyle	Lawson	Rex	Waugh
Dunton	Lipsky	Rodgers	Wells
Ellsworth	Logemann	Sargisson	Wirtz
Ewell	Mayberry	Schmeiser	Wyckoff
Freeman	McCormick		

The nays were, 39:

Alt	Fisher, C. R.	Menefee	Sorg
Bergman	Grassley	Middlewart	Stanley
Bray	Harbor	Miller	Stokes
Clark	Hill	Mollett	Strothman
Curtis	Holden	Nielsen	Uban
Den Herder	Kinley	Pelton	Varley
Drake	Knoke	Radl	Willits
Edelen	Kreamer	Roorda	Winkelman
Egenes	Kruse	Schwartz	Mr. Speaker
Fischer, H. O.	McElroy	Skinner	(Millen)

Absent or not voting, 11:

Camp	Hansen	Pierson	Siglin
Franklin	Johnston	Schroeder	Welden
Goode	Kehe	Shaw	

The amendment was adopted.

(House File 1197 pending at adjournment.)

REPORT OF COMMITTEE

Grassley of Butler, from the committee on schools, submitted the following report:

MR. SPEAKER: Your committee on schools, to whom was referred **House File 291**, a bill for an act to abolish the county school system, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

- 1 Amend House File 291 as follows:
- 2 1. By striking everything after the enacting
- 3 clause and inserting in lieu thereof the following:
- 4 Section 1. SYSTEM ABOLISHED. The county school
- 5 systems and joint county systems established pursuant

6 to chapter two hundred seventy-three (273) of the
7 Code are abolished on July 1, 1973. Membership on
8 county and joint county boards of education and
9 employment in county and joint county systems shall
10 terminate on July 1, 1973.

11 Sec. 2. ESTABLISHMENT OF EDUCATIONAL SERVICE
UNIT.

12 There is established in each merged area of the state,
13 an educational service unit which shall have a con-
14 terminous boundary with the merged area. The service
15 unit shall be administered by an educational service
16 unit board of directors, which shall furnish educa-
17 tional programs and services pursuant to section ten
18 (10) of this Act. The educational service unit shall
19 be a part of the school system of the state, and each
20 educational service unit shall include all local
21 school districts within its boundary. Each educational
22 service unit shall be identified by the same numerical
23 designator as the merged area with which it is
24 conterminous.

25 Sec. 3. DIRECTOR DISTRICTS. Each educational
26 service unit shall be divided into director districts
27 which shall be conterminous with the director districts
28 of the merged area.

29 Sec. 4. SERVICE UNIT BOARD. Each educational
30 service unit shall be governed by a board composed
31 of one director from each director district. A
32 director of an educational service unit board shall
33 be a resident of the director district from which
34 he is elected and shall be a qualified elector.
35 Directors of the service unit board shall be chosen
36 at the annual school elections for directors whose
37 terms expire on the first Monday in October following
38 such elections. The term of office of directors of
39 a service unit board shall be three years, except
40 that directors of the initial service unit board shall
41 determine their terms by lot so that the terms of
42 one-third of the directors as nearly as may be, shall
43 expire on the first Monday in October of each
44 succeeding year. Vacancies on the service unit board
45 which occur more than ninety days prior to the next
46 annual school election shall be filled at the next
47 regular meeting of the service unit board by
48 appointment by the remaining directors of the board.
49 A director so appointed shall be a resident of the
50 director district in which the vacancy occurs and
51 shall serve until the next annual school election,
52 at which election a director shall be elected to fill
53 the vacancy for the remainder of the unexpired term.
54 The provisions of section two hundred seventy-seven
55 point twenty-nine (277.29) of the Code shall apply
56 to this Act. Members, officers, and employees of
57 the board of directors of the conterminous merged
58 area, or local school boards located within the educa-
59 tional service unit, shall not be eligible to serve

60 on the educational service unit board during their
61 term of office or employment.

62 Sec. 5. ELECTION REQUIREMENTS. The provisions
63 of section sixty-eight (68) of this Act shall also
64 apply to the election for directors of the educational
65 service unit.

66 Sec. 6. COMPENSATION OF BOARD. A director of
67 an educational service unit shall not be required
68 to give bond. He shall serve without compensation,
69 but shall be paid his actual and necessary expenses,
70 including travel, in performing his official duties.
71 All claims shall be audited by the service unit board
72 and paid from the educational service unit fund.

73 Sec. 7. INITIAL ELECTION. The first election
74 under the provisions of this Act shall be held in
75 1972 at the time of the annual school election in
76 each merged area. For the initial election the
77 election duties shall be performed by the secretary
78 of the board of directors of the merged area, and
79 the election duties of the educational service unit
80 board shall be performed by the board of directors
81 of the merged area. Meetings of the educational
82 service unit board shall be held at the meeting place
83 of the merged area board.

84 Sec. 8. TRANSITION. County and joint county
85 boards of education and county and joint county systems
86 located in whole or in part within the territory of
87 an educational service unit shall continue to function
88 until July 1, 1973. The county and joint county
89 boards located in whole or in part within the territory
90 of an educational service unit shall cooperate with
91 the members of the initial educational service unit
92 board. Prior to July 1, 1973 the educational service
93 unit board may appoint officers and employ other
94 personnel for terms of office or employment to commence
95 July 1, 1973.

96 Sec. 9. ORGANIZATION—TREASURER. The educational
97 service unit board shall meet and organize on the
98 first Monday in October in each year by electing a
99 president and such other officers as the service unit
100 board may deem necessary. The service unit board
101 shall appoint a treasurer who shall give bond in
102 accordance with section two hundred ninety-one point
103 two (291.2) of the Code, and who shall receive such
104 salary and expenses as shall be set by the service
105 unit board. The service unit treasurer shall perform
106 duties in accordance with chapter two hundred ninety-
107 one (291) of the Code, and such additional duties
108 as the service unit board deems necessary. The
109 frequency of meetings other than the organization
110 meeting shall be determined by the service unit board,
111 but the president or a majority of the directors may
112 call a special meeting at any time.

113 Sec. 10. PROGRAMS AND SERVICES PROVIDED. The
114 board of directors of an educational service unit

115 shall have the responsibility of a service agency
116 intermediate between local school districts and the
117 department of public instruction. The service unit
118 board shall arrange for the provision to the local
119 public school districts within the educational service
120 unit of special education, as provided in chapter
121 two hundred eighty-one (281) of the Code, and media
122 centers, and shall arrange for the provision to
123 nonpublic schools, of locally authorized and state
124 approved shared time programs and programs of shared
125 services, as authorized in section two hundred fifty-
126 seven point twenty-six (257.26) of the Code at least
127 at the level they are provided for the 1971-1972
128 school year. The merged area may provide:

- 129 1. Auxiliary services.
- 130 2. In-service programs for personnel improvement.
- 131 3. Research programs as approved by the department
132 of public instruction.

133 Sec. 11. DUTIES OF SERVICE UNIT BOARD. The educa-
134 tional service unit board in carrying out the
135 provisions of section ten (10) of this Act shall:

- 136 1. Determine the policies of the service unit
137 for providing programs and services.
- 138 2. Be authorized to receive and expend money for
139 the purposes and administration of services and
140 programs.
- 141 3. Provide data and prepare reports as directed
142 by the superintendent of public instruction.
- 143 4. Be authorized to cooperate with any public
144 agency in the manner provided in chapter twenty-eight
145 E (28E) of the Code.
- 146 5. Coordinate all special education programs and
147 services in the educational service unit and may
148 provide special education programs and services when
149 approved by the department of public instruction.
- 150 6. Be authorized, subject to rules and regulations
151 of the state board of public instruction, to provide
152 directly or by contractual arrangement with public
153 or private agencies for special education programs
154 and services, including but not limited to programs
155 and services for the physically, mentally, or
156 educationally handicapped and the emotionally
157 disturbed; special and remedial programs and services;
158 vocational rehabilitation training centers and
159 workshops.
- 160 7. Be authorized to lease, receive by gift, and
161 operate and maintain such facilities and buildings
162 as deemed necessary to provide authorized programs
163 and services.
- 164 8. Be authorized to make application for, accept,
165 and expend state and federal funds that are available
166 for programs of educational benefit approved by the
167 state board of public instruction, and cooperate with
168 the state board in the manner provided in federal-
169 state plans or state board rules and regulations in
170 the effectuation and administration of programs

171 accepted by the state board, or accepted by other
172 educational agencies, which agencies have been approved
173 as a state educational authority.

174 9. Be authorized to execute contracts for providing
175 services or programs listed in section ten (10) of
176 this Act to the local school districts within the
177 educational service unit, to other educational
178 agencies, and to other public agencies. When a service
179 or program is not provided by the service unit board
180 to all of the local school districts within the
181 educational service unit, the service unit board shall
182 collect from the individual local school districts
183 served a reasonable cost for the service provided.
184 Other educational agencies and other public agen-
185 cies shall make reasonable payment for programs and
186 services received. Payment for the costs of special
187 educational programs and services shall be as provided
188 in sections fourteen (14) through nineteen (19),
189 inclusive, of this Act.

190 10. Be authorized to execute contracts with local
191 school districts, other educational agencies, and
192 public and private agencies. The contracts shall
193 provide that the contracting local district or agency
194 shall provide the services for other schools or
195 agencies in lieu of the educational service unit
196 providing such services. Moneys received by a school
197 district under such contractual arrangements shall
198 not be a part of miscellaneous income as defined in
199 chapter one hundred sixty-five (165), section five
200 (5), Acts of the Sixty-fourth General Assembly, First
201 Session, for purposes of determining state school
202 foundation aid.

203 11. In any county which has a population exceeding
204 one hundred twenty-five thousand persons, upon request
205 of the county board of supervisors and at the expense
206 of the county, provide suitable curriculum, teaching
207 staff, books, supplies, and other necessary materials
208 for the instruction of children of school age who
209 are maintained in the juvenile home of the county,
210 as provided in section two hundred thirty-two point
211 twenty-one (232.21) of the Code.

212 12. Be authorized to request the opinion in writing
213 of the county attorney of any county included in whole
214 or in part within the boundaries of the educational
215 service unit upon any question of law related to the
216 duties and authority of the educational service unit
217 board, its officers and employees, or school districts
218 within the educational service unit and be entitled
219 to receive and rely on the county attorney's opinion
220 in the same manner and to the same extent as in the
221 case of county officers or local school officials.
222 The provisions of this section shall not limit the
223 authority of the service unit board to employ counsel.

224 13. Be authorized to perform all other acts neces-
225 sary to carry out the provisions and intent of section

226 ten (10) of this Act.

227 Sec. 12. DIRECTOR. The educational service unit
228 board shall appoint a director of the educational
229 service unit who shall be a person knowledgeable in
230 special education programs.

231 Under the direction of the educational service
232 unit board he shall cooperate with boards of directors
233 of local school districts in the educational service
234 unit, the board of directors of the merged area, the
235 department of public instruction, school employees,
236 and the public generally.

237 Sec. 13. DUTIES OF DIRECTOR. The director shall:

238 1. Provide assistance to the school districts
239 of the educational service unit for the improvement
240 of programs and services specified in section ten
241 (10) of this Act.

242 2. Administer a media center, which shall include
243 delivery of materials.

244 3. Administer special education services when
245 such services are provided by the educational service
246 unit.

247 4. Coordinate special education services provided
248 by the local school districts.

249 Sec. 14. TRANSFER—AREA SERVICES FUND.

250 1. Before July 1, 1973, each county board of
251 education and joint board of education shall transfer
252 all of its records to the board of directors of the
253 educational service unit which includes the major
254 portion of the public school enrollment of the county
255 school system or joint county system.

256 2. If a county school system or joint county
257 system is contained entirely within a single
258 educational service unit, the county board of education
259 or joint board of education shall transfer all assets
260 and liabilities of the county school system or joint
261 county system to the board of directors of that
262 educational service unit before July 1, 1973. If
263 a county school system or joint county system is
264 contained in part in two or more educational service
265 units, the county board of education or joint board
266 of education shall meet with the board of directors
267 of each of the educational service units which contains
268 part of the county system or joint county system for
269 the purpose of reaching agreement on an equitable
270 division of the assets and liabilities of the county
271 system or joint county system, and shall transfer
272 the assets and liabilities to the board of directors
273 of one or more educational service units, as provided
274 by the agreement, before July 1, 1973. If the boards
275 cannot agree, the matters on which they differ shall
276 be decided by disinterested arbitrators, one selected
277 by each board, and if the number is then even, one
278 selected by the state superintendent of public
279 instruction. The decision of the arbitrators shall
280 be made in writing and filed with the superintendent

281 of public instruction, and any party to the proceedings
282 may appeal to the district court in any of the counties
283 involved, by serving notice on the superintendent
284 of public instruction within twenty days after the
285 decision is filed. The appeal shall be tried in
286 equity and a decree entered determining the entire
287 matter. If the assets and liabilities of any county
288 school system or joint county system cannot be
289 transferred by July 1, 1973, they shall be held in
290 the custody of the superintendent of public
291 instruction, until a decision for division is final.
292 The superintendent of public instruction shall accept
293 income and accrued assets and discharge liabilities
294 as necessary during the interim period.

295 3. After July 1, 1973, each county treasurer shall
296 transfer all moneys collected for taxes previously
297 certified by its county board of education or joint
298 board of education, in accordance with the terms of
299 the decision reached as provided in subsection two
300 (2) of this section, or to the superintendent of
301 public instruction if no decision has been reached.

302 4. The board of directors of each educational
303 service unit shall establish an educational service
304 unit fund, and shall deposit in the fund all moneys
305 received under the provisions of this section and
306 sections fifteen (15) through eighteen (18) of this
307 Act.

308 5. The board of directors of each educational
309 service unit shall deposit all moneys received for
310 special education services, regardless of the source
311 of the moneys, in its educational service unit fund,
312 and shall establish separate accounting within the
313 educational service unit fund for all special education
314 receipts and expenditures. A board of directors of
315 an educational service unit shall not use special
316 education receipts for any services other than special
317 education and shall not transfer moneys received for
318 special education into any other account or fund.
319 As a part of its coordinating function, the board
320 of directors of each educational service unit shall
321 provide an annual accounting of all moneys allocated
322 to special education and other educational service
323 unit services, including all moneys deposited in its
324 educational service unit fund, and all moneys allocated
325 by the local school districts within the service unit
326 for special education and other educational service
327 unit services.

328 Sec. 15. COUNTY LEVY.

329 1. In 1972, each joint county board of education
330 which certifies taxes for a fiscal year shall certify
331 taxes for the 1972-1973 school year as otherwise
332 provided by law, and shall maintain its programs until
333 July 1, 1973, at approximately the same level as they
334 were maintained in the 1971-1972 school year.

335 2. In 1972, each county school board which

336 certifies taxes for a calendar year shall certify
337 taxes for the 1973 calendar year only at a rate
338 necessary to obtain one-half of the amount which it
339 would otherwise be entitled to certify for the budget
340 of the 1973 calendar year, as provided in chapter
341 one hundred sixty-five (165), section nine (9),
342 subsection three (3), paragraphs a and b, Acts of
343 the Sixty-fourth General Assembly, First Session.
344 A county school system shall maintain its programs
345 until July 1, 1973, at approximately the same level
346 as they were maintained in the 1971-1972 school year.
347 3. In 1973, each education service unit board
348 shall prepare and submit budgets for the 1973-1974
349 school year.

350 **Sec. 16. EXPANDED SPECIAL EDUCATION PROGRAMS.**

351 After July 1, 1973, the boards of directors of the
352 educational service unit shall assume the duties
353 prescribed for school districts, county boards of
354 education, or joint county boards of education in
355 chapter one hundred sixty-five (165), section twenty-
356 nine (29), Acts of the Sixty-fourth General Assembly,
357 First Session, and the department of public instruction
358 shall make payment to the boards of directors of the
359 educational service unit to the same extent and in
360 the same manner as provided in that section for payment
361 to school districts, county boards, and joint county
362 boards.

363 **Sec. 17. LOCAL SUPPORT FOR SPECIAL EDUCATION AND**
364 **OTHER AREA SERVICES.**

365 1. Beginning with the 1973-1974 school year and
366 each year thereafter, each local school district shall
367 allocate in its budget an amount for support of special
368 education and for other services which will be coordi-
369 nated or provided for local school districts by the
370 educational service unit, including services and
371 materials furnished to nonpublic schools under the
372 provisions of section two hundred fifty-seven point
373 twenty-six (257.26) of the Code. The local school
374 board shall determine the amount to be allocated by
375 multiplying four percent times the fall enrollment
376 in the district times the state cost per pupil in
377 fall enrollment. As used in this section, "fall
378 enrollment" means the same as provided in chapter
379 one hundred sixty-five (165), section four (4), Acts
380 of the Sixty-fourth General Assembly, First Session,
381 and "state cost" means the same as provided in section
382 eight (8) of that chapter. The local school board
383 shall calculate the amount to be allocated for each
384 ensuing school year in time for inclusion in the
385 tentative budget required to be submitted by December
386 first each year, using the current fall enrollment
387 as reported on each September twenty-fifth.

388 2. The department of public instruction shall
389 review the percentage used in determining local support
390 for special education and other services during each

391 biennium, and if it determines that the law should
392 be amended by changing the percentage, shall make
393 that recommendation to the general assembly.

394 3. A local school district may increase the percen-
395 tage of local support it allocates for special educa-
396 tion and other services, as determined under
397 subsections one (1) or two (2) of this section, if
398 the board of the educational service unit recommends
399 the increase, and the department of public instruction
400 approves the increase.

401 4. All of the local school districts within an
402 educational service unit shall increase the percentage
403 of local support they allocate for special education
404 and other services, as determined under subsections
405 one (1) or two (2) of this section, if the board of
406 the educational service unit recommends the increase,
407 the department of public instruction approves the
408 increase, and the increase is approved and adopted
409 by at least four-fifths of the local school boards
410 within the educational service unit.

411 Sec. 18. ALLOCATION OF LOCAL SUPPORT. Each local
412 school board shall place three-fourths of its total
413 allocation for local support as determined in section
414 seventeen (17) of this Act, in a special education
415 support fund to be used only for support of special
416 education, and shall pay the remaining one-fourth
417 to the board of directors of its educational service
418 unit for support of other services provided by the
419 educational service unit. The local school board
420 shall make payment to the board of the educational
421 service unit in four approximately equal installments
422 not later than July 15, October 15, January 15, and
423 April 15 of each school year. A local school board
424 shall not use moneys allocated for special education
425 for any other purpose, and shall not transfer moneys
426 allocated for special education into any other local
427 account or fund. Balances remaining in the local
428 special education support fund beyond the costs paid
429 by the local district under contractual agreement
430 between the local district and the board of the
431 educational service unit shall be paid by the local
432 district to the board of the educational service unit
433 for the support of other approved special education.

434 Sec. 19. ADJUSTMENT OF DISTRICT BUDGETS.

435 1. For the 1973-1974 school year, each local
436 school board shall determine the difference between
437 the amount allocated in its budget for the 1972-1973
438 school year for support of special education,
439 regardless of the source of the services, and the
440 amount it is required to allocate for the 1973-1974
441 school year for special education as provided by
442 section eighteen (18) of this Act.

443 2. If the amount a local school district is
444 required to allocate for special education for the
445 1973-1974 school year exceeds the amount it allocated

446 for the 1972-1973 school year, the local district
447 may add the excess amount to its general fund budget.
448 If the addition of the excess amount causes a school
449 district to exceed its maximum district cost
450 or its maximum millage as determined under chapter
451 one hundred sixty-five (165), sections nine (9) and
452 ten (10), Acts of the Sixty-fourth General Assembly,
453 First Session, the district shall submit its budget
454 to the division of special education in the depart-
455 ment of public instruction. If the division is satis-
456 fied that the local district has correctly determined
457 the excess amount required, it shall certify that
458 fact and submit the budget to the school budget review
459 committee, which shall authorize for that district
460 an increase in either its maximum district cost,
461 its maximum millage, or both, as necessary to meet
462 the excess required expenditure, unless it determines
463 that, because of decreased enrollments or other
464 reasons, a part or all of the requested increase is
465 not required by the local school district in order
466 to maintain its general educational program at a level
467 equivalent to that maintained in the 1972-1973 school
468 year.

469 3. If the amount a local school district is
470 required to allocate for special education for the
471 1973-1974 school year is less than the amount it
472 allocated for the 1972-1973 school year, it shall
473 submit its budget to the school budget review
474 committee. The school budget review committee shall
475 require the district to reduce its maximum district
476 cost by the amount which the special education
477 allocation is reduced, unless the budget review
478 committee determines that because of increased
479 enrollments or other reasons a part or all of the
480 amount is required by the local school district in
481 order to maintain its general educational program
482 at a level equivalent to that maintained in the 1972-
483 1973 school year.

484 4. If the school budget review committee authorizes
485 a district to increase or decrease its maximum district
486 cost or increase its maximum millage as provided in
487 this section, the increased or decreased amount shall
488 become the district's maximum district cost or maximum
489 millage for the 1973-1974 school year for purposes
490 of all computations required under chapter one hundred
491 sixty-five (165), Acts of the Sixty-fourth General
492 Assembly, First Session, except that the maximum
493 millage reduction provided for in section twenty-one
494 (21) of that chapter shall be computed without regard
495 to any increase or decrease in maximum budget
496 authorized under this section.

497 Sec. 20. Section eleven point eighteen (11.18),
498 unnumbered paragraph two (2), is amended to read as
499 follows:

500 Any township or municipal corporation not embraced
501 within the foregoing provisions of this chapter [and

502 any school corporation in which an annual examination
 503 is not required] may, on application to the auditor
 504 of state, secure an examination of its financial
 505 transactions and condition of its funds, or a like
 506 examination shall be had on application of one hundred
 507 or more taxpayers, or if there are fewer than five
 508 hundred taxpayers, then by five percent thereof.
 509 [The examination in any such school district may be
 510 had upon the written request of the county
 511 superintendent of schools.] In lieu of such examination
 512 by state accountants, the local governing body may
 513 contract with, or employ, certified or registered
 514 public accountants and pay the same from the proper
 515 public funds.

516 Sec. 21. Section sixteen point eighteen (16.18),
 517 Code 1971, is amended to read as follows:

518 16.18 COUNTY SUPERINTENDENTS. The official
 519 register shall be distributed, in addition to the
 520 foregoing provisions, to the school libraries[, through
 521 the county superintendent of schools to whom they
 522 shall be sent in bulk, and who shall direct their
 523 distribution each in his own county].

524 Sec. 22. Section sixteen point twenty-four (16.24),
 525 subsection sixteen (16), Code 1971, is amended to
 526 read as follows:

527 16. To the clerk of the district court, the county
 528 attorney, the county auditor, the county recorder,
 529 county assessor, the county treasurer, the sheriff,
 530 and the [county superintendent of each county] *the*
 531 *director of each educational service unit* in the
 532 state, to the clerk of each superior or municipal
 533 court in the state, and also for use in each court
 534 room of the district, superior, or municipal
 535 court1
 536 copy

537 Sec. 23. Section forty-four point seven (44.7),
 538 Code 1971, is amended to read as follows:

539 44.7 HEARING BEFORE COUNTY AUDITOR. **Objections**
 540 filed with the county auditor shall be considered
 541 by the county auditor, clerk of the district court,
 542 and county attorney, and a majority decision shall
 543 be final; but if the objection is to the certificate
 544 of nomination of one or more of the above named county
 545 officers, said officer or officers so objected to
 546 shall not pass upon such objection, but their places
 547 shall be filled, respectively, by the county treasurer[,]
 548 *and the sheriff[, and county superintendent].*

549 Sec. 24. Section sixty-four point eight (64.8),
 550 Code 1971, is amended to read as follows:

551 64.8 COUNTY OFFICERS. The bonds of the following
 552 county officers, viz.: Clerks of the district courts,
 553 county attorneys, recorders, auditors, [superintendents
 554 of schools,] sheriffs, justices of the peace, and
 555 constables, and assessors shall each be in a penal
 556 sum to be fixed by the board of supervisors.

557 Sec. 25. Section eighty-five point two (85.2),
 558 Code 1971, as amended by chapter one hundred eight
 559 (108), section two (2), Acts of the Sixty-fourth
 560 General Assembly, First Session, is further amended
 561 to read as follows:

562 85.2 COMPULSORY WHEN. Where the state, county,
 563 municipal corporation, school corporation, [county
 564 board of education] *educational service unit*, or city
 565 under any form of government is the employer, the
 566 provisions of this chapter for the payment of
 567 compensation and amount thereof for an injury sustained
 568 by an employee of such employer shall be exclusive,
 569 compulsory, and obligatory upon both employer and
 570 employee, except as otherwise provided in section
 571 85.1. For the purposes of this chapter elected and
 572 appointed officials shall be employees.

573 Sec. 26. Section eighty-five point sixty-one
 574 (85.61), subsections one (1) and two (2), Code 1971,
 575 are amended to read as follows:

576 1. "Employer" includes and applies to any person,
 577 firm, association, or corporation, state, county,
 578 municipal corporation, school corporation, [county
 579 board of education] *educational service unit*, and the
 580 legal representatives of a deceased employer.

581 2. "Workman" or "employee" means a person who
 582 has entered into the employment of, or works under
 583 contract of service, express or implied, or
 584 apprenticeship, for an employer, every executive
 585 officer elected or appointed and empowered under and
 586 in accordance with the charter and bylaws of a
 587 corporation, including a person holding an official
 588 position, or standing in a representative capacity
 589 of the employer, and including officials elected or
 590 appointed by the state, counties, school districts,
 591 [county boards of education] *educational service units*,
 592 municipal corporations, or cities under any form of
 593 government, and including members of the Iowa highway
 594 safety patrol and conservation officers, except as
 595 hereinafter specified.

596 Sec. 27. Section one hundred forty-three point
 597 one (143.1), Code 1971, is amended to read as follows:

598 143.1 AUTHORITY TO EMPLOY. Any local board of
 599 health, [the county board of education of any county,]
 600 or the school board of any school district may employ
 601 public health nurses at such periods each year and
 602 in such numbers as may be deemed advisable. The board
 603 of supervisors of any county, the council of any city
 604 or town, or the school board of any school district,
 605 or any of them acting in co-operation, may contract
 606 with any nonprofit nurses' association for public
 607 health nursing service. The compensation and expenses
 608 thereof shall be paid out of the general fund of the
 609 political subdivision employing said nurses.

610 Sec. 28. Section two hundred fifty-seven point
 611 eighteen (257.18), subsection eleven (11), Code 1971,

612 as amended by chapter one hundred fifty-eight (158),
613 section one (1), Acts of the Sixty-fourth General
614 Assembly, First Session, is amended to read as follows:

615 11. Prepare for the approval of the state board,
616 such forms and procedures as are deemed necessary
617 to be used by [county boards] *educational service unit*
618 *boards*, district boards, school officials, principals,
619 teachers, and other employees, and to insure
620 uniformity, accuracy, and efficiency in keeping records
621 in both pupil and cost accounting, the execution of
622 contracts, and the submission of reports; furnish,
623 when deemed advisable by him and approved by the state
624 board, those forms which can more economically and
625 efficiently be provided in that manner; and notify
626 the [county board] *educational service unit board*, or
627 district board, or school authorities, in any case
628 when any report has not been filed in the manner or
629 on the dates prescribed by law or by regulation of
630 the state board that the school be not approved until
631 the report has been properly filed.

632 Sec. 29. Section two hundred fifty-seven point
633 eighteen (257.18), subsections twelve (12) and twenty-
634 one (21), Code 1971, are amended to read as follows:

635 12. Ascertain by inspection, supervision, or
636 otherwise, the condition, needs, and progress of the
637 schools under the supervision of his department and
638 make recommendations to the proper authorities for
639 the correction of deficiencies and the educational
640 and physical improvement of such schools, and recommend
641 to the state board the need for a state audit of the
642 accounts of any school district, [county school system]
643 *educational service unit*, school official, or any
644 school employee handling school funds when it is
645 apparent that such audit should be made. If deemed
646 advisable the state board may call upon the state
647 auditor to make such an audit and he shall proceed
648 to do so as soon as practicable.

649 21. Cause to be printed in book form, during the
650 months of June and July in the year 1955 and every
651 four years thereafter, if deemed necessary, all school
652 laws then in force with such forms, rulings, and
653 decisions, and such notes and suggestions as may aid
654 school officers in the proper discharge of their
655 duties. A sufficient number shall be furnished to
656 [the county superintendent of each county to supply
657 therein] school officers, directors, superintendents,
658 and others in such numbers as may be reasonably
659 requested.

660 Sec. 30. Section two hundred fifty-seven point
661 twenty-five (257.25), subsection twelve (12), Code
662 1971, is amended to read as follows:

663 12. The state board of public instruction shall
664 remove for cause, after due investigation and notice,
665 any such school, college, or school district failing
666 to comply with such approval standards, rules, and
667 regulations from the approved list; which removal

668 shall, during the period of noncompliance, permit
669 parents of children eligible for school attendance
670 to request the [county board of education] *state depart-*
671 *ment of public instruction* to designate their children
672 to an approved school with the district of residence
673 responsible for the tuition and transportation costs.
674 The [county board of education *state department of*
675 *public instruction* is [hereby] authorized to make such
676 designation. Procedure, insofar as applicable, shall
677 be that provided in chapter 285. [In the event a
678 parent of such child so designated is dissatisfied
679 with said designation, appeal may be made to the state
680 superintendent of public instruction as provided in
681 section 285.12.] A school, college, or school district
682 which is removed from the approved list in accordance
683 with this section shall be ineligible to receive state
684 financial aid during the period of noncompliance.
685 The state board shall allow a reasonable period of
686 time, which shall be at least one year, for compliance
687 with such approval standards, rules, and regulations,
688 if such school, college, or school district is making
689 a good faith effort and substantial progress toward
690 full compliance and if the failure to comply is due
691 to factors beyond the control of the board of directors
692 or governing body of such school, college, or school
693 district. In allowing such time for compliance, the
694 board shall follow consistent policies, taking into
695 account the circumstances of each case. The reasonable
696 period of time for compliance may be, but need not
697 be, given prior to the one-year notice requirement
698 that is required under subsection 13 of this section.

699 Sec. 31. Section two hundred fifty-seven point
700 twenty-six (257.26), unnumbered paragraph two (2),
701 Code 1971, is amended to read as follows:

702 The provisions of this section shall not deprive
703 the respective boards of public school districts of
704 any of their legal powers, statutory or otherwise,
705 and in accepting such specially enrolled students,
706 each of said boards shall prescribe the terms of such
707 special enrollment, including but not limited to
708 scheduling of such courses and the length of class
709 periods. In addition, the board of the affected
710 public school district shall be given notice by the
711 state board of its decision to permit such special
712 enrollment not later than six months prior to the
713 opening of the affected public school district's
714 school year, except that the board of the public
715 school district may, in its discretion, waive such
716 notice requirement. School districts and [county
717 school systems] *educational service units* may when
718 available make special education services and materials
719 enumerated in this chapter available to pupils
720 attending nonpublic schools in the same manner and
721 to the same extent that they are provided to public
722 school students in the school district or [county]

723 *educational service district.*

724 Sec. 32. Section two hundred sixty point nine
725 (260.9), subsection one (1), Code 1971, is amended
726 to read as follows:

727 1. SUPERINTENDENT'S CERTIFICATE. The
728 superintendent's certificate shall be issued to an
729 applicant who has met the requirements for an advanced
730 elementary certificate or an advanced or a standard
731 secondary certificate and who has in addition such
732 other qualifications with reference to special training
733 and experience as the board of educational examiners
734 shall from time to time prescribe. It shall be valid
735 for service [as county superintendent, or] as
736 superintendent, principal, or teacher in any elementary
737 or secondary school.

738 Sec. 33. Section two hundred sixty point twenty-
739 three (260.23), Code 1971, is amended to read as
740 follows:

741 260.23 REVOCATION BY BOARD. Any [diploma or]
742 certificate issued by the board may be suspended or
743 revoked by it for any cause which would have authorized
744 or required a refusal to grant the same, and the
745 holder shall have ten days' notice by registered mail
746 and be allowed to be present and make defense.

747 Sec. 34. Section two hundred sixty point twenty-
748 four (260.24), Code 1971, is amended to read as
749 follows:

750 260.24 REVOCATION BY [COUNTY] SUPERINTENDENT **OF**

751 *PUBLIC INSTRUCTION.* When in the judgment of the
752 [county] superintendent of *public instruction* there
753 is probable cause for the revocation of a certificate
754 [or diploma] held by any teacher employed in [his county]
755 *the state*, or when complaint is filed, supported by
756 affidavits, charging incompetency, immorality,
757 intemperance, cruelty, or general neglect of the
758 business of the school, the [county] superintendent
759 of *public instruction* shall within ten days transmit
760 to such person a written statement of the charges
761 preferred and set the time, not less than ten days
762 thereafter, and place for the hearing of the same
763 at which trial the teacher may be present and make
764 defense.

765 Sec. 35. Section two hundred sixty point twenty-
766 five (260.25), Code 1971, is amended to read as
767 follows:

768 260.25 TRIAL—ORDER. The trial and making and
769 preservation of the record shall be, so far as
770 applicable, in conformity with the provisions of the
771 law relating to the trial of civil actions in the
772 district court. If upon the trial it appears to the
773 [county] superintendent of *public instruction* that there
774 is sufficient ground for the revocation of the [diploma
775 or] certificate, he shall at once issue in [triplicate]
776 *duplicate* an order revoking the [diploma or] certificate,

777 and the same shall become effective, unless an appeal
778 is taken, fifteen days thereafter. One copy of the
779 order shall be filed and recorded in his office[, one
780 mailed to the superintendent of public instruction,]
781 and the other sent by registered mail to the holder
782 of the certificate.

783 Sec. 36. Section two hundred sixty point twenty-
784 six (260.26), Code 1971, is amended to read as follows:
785 260.26 [APPEAL] *REVOCATION*. [The person aggrieved
786 by such order shall have the right of appeal to the
787 superintendent of public instruction within ten days
788 from the date of such mailing, and in case of appeal
789 the revocation shall not be effective until the same
790 is affirmed, after full hearing by the superintendent
791 of public instruction.] In the case of life state
792 certificates the revocation shall not be effective
793 until affirmed by the board of educational examiners
794 after full hearing and review by said board.

795 Sec. 37. Section two hundred sixty-two point
796 thirty-two (262.32), Code 1971, is amended to read
797 as follows:

798 262.32 *CONTRACT—TIME LIMIT*. Such contracts shall
799 be in writing and shall extend over a period of not
800 to exceed two years, and a copy thereof shall be filed
801 [in the office of the superintendent of schools of
802 the county] *with the state department*.

803 Sec. 38. Section two hundred seventy-four point
804 four (274.4), Code 1971, is amended to read as follows:
805 274.4 *RECORD OF REORGANIZATION FILED*. **When an**
806 election on the proposition of organizing,
807 reorganizing, enlarging, or changing the boundaries
808 of any school corporation carries by the required
809 statutory margin [or any area of less than four sections
810 is attached to any school corporation by order of
811 a county board of education], or the boundary lines
812 of contiguous school corporations are changed by the
813 concurrent action of the respective boards of
814 directors, [the county superintendent, or] the secretary
815 of said school corporation, shall file a written
816 description of the new boundaries of the school
817 corporation in the office of the county auditor of
818 each county in which any portion of the school corpora-
819 tion lies.

820 Sec. 39. Section two hundred seventy-four point
821 seven (274.7), unnumbered paragraph two (2), Code
822 1971, is amended to read as follows:

823 The terms of office of the directors of a [county
824 or merged county school system that contains a
825 population of two hundred fifty thousand, or more,
826 and a] school corporation which contains a city with
827 a population of two hundred thousand, or more, shall
828 be four years. The election for such office shall
829 be as prescribed by law in each odd-numbered year.
830 A board of five members shall have three members
831 elected at one election and two at the next election.

832 A board of seven members shall have four members
833 elected at one election and three at the next election.
834 If, upon the expiration of normal terms, there is
835 elected more than the number prescribed at any
836 election, those elected shall select by lot the length
837 of their terms, some for four years and some for two
838 years, so that the proper number of directors will
839 be elected at the next election and each subsequent
840 election thereafter.

841 Sec. 40. Section two hundred seventy-four point
842 thirteen (274.13), Code 1971, is amended to read as
843 follows:

844 274.13 ATTACHING TERRITORY TO ADJOINING
845 CORPORATION. In any case where, by reason of natural
846 obstacles, any portion of the inhabitants of any
847 school corporation in the opinion of the [county]
848 superintendent of *public instruction* cannot with
849 reasonable facility attend school in their own
850 corporation, he shall, by a written order, in
851 duplicate, attach the part thus affected to an
852 adjoining school corporation, the board of the same
853 consenting thereto, one copy of which order shall
854 be at once transmitted to the secretary of each
855 corporation affected thereby, who shall record the
856 same and make the proper designation on the plat of
857 the corporation. Township or county lines shall not
858 be a bar to the operation of this section.

859 Sec. 41. Section two hundred seventy-four point
860 fourteen (274.14), Code 1971, is amended to read as
861 follows:

862 274.14 RESTORATION. When the natural obstacles
863 by reason of which territory has been set off by the
864 [county] superintendent of *public instruction* from one
865 school district and attached to another in the same
866 or an adjoining county, as provided in section 274.13,
867 have been removed, such territory may, upon the
868 concurrence of the respective boards, be restored
869 to the school district from which set off and shall
870 be so restored by said boards upon the written
871 application of two-thirds of the electors residing
872 upon the territory so set off together with the
873 concurrence of the [county] superintendent of *public*
874 *instruction* and the board of the school district from
875 which such territory was originally set off by the
876 [county] superintendent of *public instruction*.

877 Sec. 42. Section two hundred seventy-four point
878 thirty-seven (274.37), unnumbered paragraph one (1),
879 Code 1971, is amended to read as follows:

880 The boundary lines of contiguous school corporations
881 may be changed by the concurrent action of the
882 respective boards of directors at their regular
883 meetings in July, or at special meetings called for
884 that purpose. Such concurrent action shall be subject
885 to the approval of the [county] *state* board [or boards
886 of education involved] of *public instruction* but such

887 concurrent action shall stand approved if the [county]
888 *state* board [or boards of education do] *does* not disap-
889 prove such concurrent action within thirty days
890 following receipt of notice thereof. The corporation
891 from which territory is detached shall, after the
892 change, contain not less than four government sections
893 of land.

894 Sec. 43 Section two hundred seventy-four point
895 forty (274.40), Code 1971, is amended to read as
896 follows:

897 274.40 VESTING OF POWERS TO CONVEY. Whenever
898 a majority of the directors of any school district
899 affected as in section 274.39 have moved from such
900 district and have ceased to be residents thereof
901 thereby creating vacancies on the school board and
902 reducing it to less than a quorum, the powers vested
903 by said section in the board of directors shall vest
904 in the [county] *state* board of [education] *public*
905 *instruction* and the instrument of conveyance shall
906 be executed on behalf of such school district by the
907 chairman of the [county] *state* board of [education] *public*
908 *instruction until an election is called pursuant to*
909 *chapter 277.*

910 Sec. 44. Section two hundred seventy-five point
911 one (275.1), Code 1971, is amended by striking the
912 section and inserting in lieu thereof the following:

913 275.1 DECLARATION OF POLICY—SURVEYS. It is
914 declared to be the policy of the state to encourage
915 the reorganization of school districts into such units
916 as are necessary, economical and efficient and which
917 will insure an equal opportunity to all children of
918 the state. All area of the state shall be in a school
919 district maintaining twelve grades.

920 Sec. 45. Section two hundred seventy-five point
921 five (275.5), Code 1971, is amended to read as follows:

922 275.5 TENTATIVE PLANS. [Pending completion of
923 the final plans provided for in sections 275.1 to
924 275.4 hereof, the county board of education shall
925 prepare and approve tentative plans for reorganization
926 of school districts within the county after
927 consultation with the boards of the various districts
928 in the county and the state department of public
929 instruction. Within ten days after the county board
930 has approved their tentative plan they shall file
931 such plan with the state department of public
932 instruction.] Any proposal for merger, consolidation
933 or boundary change of *local school districts* shall
934 first be submitted to the [county] *state* board of
935 [education] *public instruction* for approval before being
936 submitted at an election. [The county board of
937 education shall adopt and file a tentative county
938 plan with the state department of public instruction
939 no later than sixty days after a proposal for merger
940 or consolidation has been presented to them for their

941 approval under this section.] Such proposals may
 942 provide for reducing an existing school district to
 943 less than four government sections and where such
 944 proposal is put into effect by election by the method
 945 hereinafter provided the [county] *state* board shall
 946 by resolution attach or subdivide and attach the
 947 remaining portion or portions of said district to
 948 another school district or districts.

949 Sec. 46. Section two hundred seventy-five point
 950 six (275.6), Code 1971, is amended to read as follows:
 951 275.6 PROGRESSIVE PROGRAM. It is the intent of
 952 this chapter that the [county] *state* board shall carry
 953 on the program of reorganization progressively and
 954 shall, insofar as is possible, authorize submission
 955 of proposals to the electors as they are developed
 956 and approved.

957 Sec. 47. Section two hundred seventy-five point
 958 seven (275.7), Code 1971, is amended by striking the
 959 section and inserting in lieu thereof the following:
 960 275.7 BUDGET. The cost to a school district in
 961 conducting reorganization work shall be assessed to
 962 each local school district in an amount determined
 963 by the state board of public instruction.

964 Sec. 48. Section two hundred seventy-five point
 965 eleven (275.11), Code 1971, is amended to read as
 966 follows:

967 275.11 PROPOSALS INVOLVING TWO OR MORE DIS-
 TRICTS.

968 [Subject to the approval of the county board of
 969 education contiguous] *Contiguous* territory located
 970 in two or more school districts may be united into
 971 a single district in the manner provided in sections
 972 275.12 to 275.23 hereof.

973 Sec. 49. Section two hundred seventy-five point
 974 twelve (275.12), subsections one (1) and four (4),
 975 Code 1971, are amended to read as follows:

976 1. A petition describing the boundaries, or
 977 accurately describing the area included therein by
 978 legal descriptions, of the proposed district[, which
 979 boundaries or area described shall conform to county
 980 plan or the petition shall request change of the
 981 county plan,] shall be filed with the superintendent
 982 of [schools of the county in which the greatest number
 983 of electors reside] *public instruction*. Such petition
 984 shall be signed by voters in each existing school
 985 district affected or portion thereof equal in number
 986 to at least twenty percent of the number of eligible
 987 voters or four hundred voters, whichever is the smaller
 988 number. School districts affected or portion thereof
 989 shall be defined to mean that area to be included
 990 in the plan of the proposed new school district.

991 4. The [county board or boards of education] *superin-*
 992 *tendent of public instruction* in reviewing such
 993 petition as provided in [sections] *section* 275.15 [and

994 275.16] shall review the proposed method of election
 995 of school directors and shall have the duty and
 996 authority to change [or amend such plan in any manner,
 997 including the changing of] *the* boundaries of director
 998 districts if proposed, or to specify a different
 999 method of electing school directors on the basis
 1000 of area, school population, or assessed valuation
 1001 as may be required by law, justice, equity, and the
 1002 interest of the people. In such action the [county
 1003 board or boards] *superintendent of public instruction*
 1004 shall follow the same procedure as is required by
 1005 [sections] *section* 275.15 [and 275.16] for other action
 1006 on the petition by the [county board or boards]
 1007 *superintendent of public instruction.*

1008 Sec. 50. Section two hundred seventy-five point
 1009 fourteen (275.14), Code 1971, is amended to read as
 1010 follows:

1011 275.14 OBJECTION—TIME OF FILING—NOTICE. Within
 1012 ten days after the petition is filed, the [county]
 1013 *superintendent of public instruction* shall fix a final
 1014 date for filing objections to the petition in the
 1015 office of the [county] *superintendent of public*
 1016 *instruction*, and give notice for at least ten days,
 1017 by one publication in a newspaper published within
 1018 the territory described in the petition, or if none
 1019 is published therein, in a newspaper published in
 1020 the county where the petition is filed, and of general
 1021 circulation in the territory described. *The cost*
 1022 *of publication shall be assessed to each district*
 1023 *whose territory is involved in the ratio that the*
 1024 *number of pupils in fall enrollment in each district*
 1025 *bears to the total number of pupils in fall enrollment*
 1026 *in the total area involved.* Objections shall be in
 1027 writing in the form of an affidavit and may be made
 1028 by any person residing or owning land within the
 1029 territory described in the petition, or who would
 1030 be injuriously affected by the change petitioned for
 1031 and shall be on file not later than twelve o'clock
 1032 noon of the final day fixed for filing objections.

1033 Sec. 51. Section two hundred seventy-five point
 1034 fifteen (275.15), Code 1971, is amended to read as
 1035 follows:

1036 275.15 HEARING—DECISION—PUBLICATION OF ORDER.
 1037 On the final day fixed for filing objections,
 1038 interested parties may present evidence and arguments,
 1039 and the [county board of education] *superintendent of*
 1040 *public instruction* shall review the matter on its
 1041 merits and within five days after the conclusion of
 1042 any hearing, shall rule on the objections and shall
 1043 enter an order fixing such boundaries for the proposed
 1044 school corporation as will in its judgment be for
 1045 the best interests of all parties concerned, having
 1046 due regard for the welfare of adjoining districts
 1047 or dismiss the petition. The [county] *superintendent*
 1048 *of public instruction* shall at once publish this order

1049 in the same newspaper in which the original notice
1050 was published [and file any amendments to the county
1051 plan in the same manner as hereinabove provided for
1052 the original or tentative county plan]. Within twenty
1053 days after the publication thereof the decision
1054 rendered by the [county board of education]
1055 *superintendent of public instruction* may be appealed
1056 to [a court of record] *the district court* in the county
1057 involved by any school district affected.

1058 Sec. 52. Section two hundred seventy-five point
1059 eighteen (275.18), Code 1971, is amended to read as
1060 follows:

1061 275.18 SPECIAL ELECTION CALLED—TIME. When the
1062 boundaries of the territory to be included in a
1063 proposed school corporation and the number and method
1064 of the election of the school directors of such
1065 proposed school corporation have been determined as
1066 herein provided, the [county superintendent with whom
1067 such petition is filed] *superintendent of public in-*
1068 *struction* shall call a special election in such
1069 proposed school corporation within thirty days from
1070 the date of the final determination of such boundaries,
1071 by giving notice by one publication in the same
1072 newspaper as previous notices concerning it have been
1073 published, and in addition thereto, if more than one
1074 county is involved, by one publication in a legal
1075 newspaper in each county other than that of the first
1076 publication, which publication shall be not less than
1077 ten nor more than fifteen days prior to the election.
1078 In the case of [joint] districts *located in more than*
1079 *one county*, no notice for an election shall be
1080 published until the time for appeal, which shall be
1081 the same as that provided in section 285.12, has
1082 expired; and in the event of an appeal, not until
1083 the same has been disposed of.

1084 Sec. 53. Section two hundred seventy-five point
1085 nineteen (275.19), Code 1971, is amended to read as
1086 follows:

1087 275.19 JUDGES OF ELECTION. The [county
1088 superintendent] *boards of directors of the school*
1089 *districts affected* shall appoint the judges of such
1090 election and such judges shall be qualified electors
1091 of the territory of the proposed school corporation
1092 as determined by the [county superintendent or board
1093 of education] *boards of directors*, and they shall
1094 serve without pay. If any judge fails to appear at
1095 the proper time, his place shall be filled by the
1096 judge or judges present, or if no judge appears, any
1097 three qualified electors may organize the election
1098 board.

1099 Sec. 54. Section two hundred seventy-five point
1100 twenty-three (275.23), Code 1971, is amended to read
1101 as follows:

1102 275.23 CANVASS AND RETURN. The judges of election
1103 shall count the ballots, make return to and deposit

1104 the ballots with the [county superintendent] *secretary*
1105 *of the board of directors of the school district with*
1106 *the largest number of pupils*, who shall enter the
1107 return of record [in his office]. If the majority of
1108 the votes cast by the qualified electors are in favor
1109 of the proposition, as provided in section 275.20,
1110 a new school corporation shall be organized. The
1111 [county superintendent] *secretary of the board of*
1112 *directors of the school district with the largest*
1113 *number of pupils* shall file a written description
1114 of the boundaries as provided in section 274.4.

1115 Sec. 55. Section two hundred seventy-five point
1116 twenty-five (275.25), unnumbered paragraph one (1),
1117 Code 1971, is amended to read as follows:

1118 If the proposition to establish a new corporation
1119 carries under the method hereinabove provided a special
1120 election shall be called by the [county superintendent]
1121 *president of the board of directors of the school*
1122 *district with the largest number of pupils* by giving
1123 notice by one publication in the same newspaper in
1124 which the former notices were published and he shall
1125 appoint judges who shall serve without pay. At such
1126 election, two directors shall be elected to serve
1127 until the next regular election, two until the second,
1128 and one until the third regular election thereafter,
1129 except in districts which include all or part of a
1130 city of fifteen thousand or more population and in
1131 districts in which the proposition to establish a
1132 new corporation provides for seven directors, three
1133 directors shall be elected to serve until the third
1134 regular election thereafter, all of whom to serve
1135 until such time as their successors are elected and
1136 qualified. Provided, however, that in all community
1137 school districts which include a city of fifteen
1138 thousand or more population and which became effective
1139 prior to July 4, 1955, and in all community school
1140 districts containing a city which has attained a
1141 population of fifteen thousand or more as shown by
1142 the most recent decennial federal census, the board
1143 of directors shall consist of seven members. Where
1144 it becomes necessary to increase the membership of
1145 any such board under the provisions hereof, two direc-
1146 tors shall be added according to the procedure
1147 described in section 277.23. The judges of election
1148 shall make return to the [county superintendent]
1149 *president of the board of directors of the school*
1150 *district with the largest number of pupils* who shall
1151 enter the return of record [in his office] and notify
1152 the persons who are elected directors. The new board
1153 shall organize within fifteen days following their
1154 election [upon call of the county superintendent].
1155 The new board of directors shall have complete control
1156 of the employment of all personnel for the newly
1157 formed community school district for the ensuing
1158 school year. Following the organization of the new
1159 board they shall have authority to establish policy,

1160 organize curriculum, enter into contracts and complete
1161 such other planning and take such action as is
1162 essential for the efficient management of the newly
1163 formed community school district.

1164 Sec. 56. Section two hundred seventy-five point
1165 twenty-six (275.26), Code 1971, is amended by striking
1166 the section and inserting in lieu thereof the
1167 following:

1168 275.26 PAYMENT OF EXPENSES. A district which
1169 is established or changes its boundaries shall pay
1170 all expenses incurred in connection with the
1171 proceedings, including the election of the first board
1172 of directors. If the proposal fails, the districts
1173 whose territory is involved shall pay all expenses
1174 in the manner determined by the state department.

1175 Sec. 57. Section two hundred seventy-five point
1176 twenty-seven (275.27), Code 1971, is amended to read
1177 as follows:

1178 275.27 NAMES. School districts created or enlarged
1179 under the provisions of this chapter shall be known
1180 as community school districts [and shall be part of
1181 the county school system of the county in which the
1182 greatest number of electors of said district reside
1183 at the time of the special election called for in
1184 section 275.18, and this provision pertaining to
1185 greatest number of electors shall be in full force
1186 and effect any statute to the contrary notwithstanding],
1187 and all provisions of the law applicable to the common
1188 schools generally shall be applicable to such districts
1189 in addition to the powers and privileges conferred
1190 by this chapter.

1191 Sec. 58. Section two hundred seventy-five point
1192 thirty (275.30), Code 1971, is amended to read as
1193 follows:

1194 275.30 ARBITRATION. If the boards cannot agree
1195 on such division and distribution, the matters on
1196 which they differ shall be decided by disinterested
1197 arbitrators, one selected by each board having an
1198 interest therein, and if the number thus selected
1199 is even, then one shall be added by the [county]
1200 superintendent of *public instruction*. The decision
1201 of the arbitrators shall be made in writing and filed
1202 with the secretary of the new corporation, and any
1203 party to the proceedings may appeal therefrom to the
1204 district court by serving notice thereof on such
1205 secretary within twenty days after the decision is
1206 filed. Such appeal shall be tried in equity and a
1207 decree entered determining the entire matter, including
1208 the levy, collection, and distribution of any necessary
1209 taxes.

1210 Sec. 59. Section two hundred seventy-five point
1211 thirty-nine (275.39), Code 1971, is amended to read
1212 as follows:

1213 275.39 EXCLUDED TERRITORY INCLUDED IN NEW PETI-
TION.

1214 Territory described in the petition of a proposed
 1215 reorganization which has been set out of the proposed
 1216 reorganization by the [county board or the joint boards,
 1217 as the case may be,] *superintendent of public*
 1218 *instruction* and in the event of an appeal, after the
 1219 decision of [the state department of public instruction
 1220 or] the courts as by law provided, may be included
 1221 in any new petition for reorganization.

1222 Sec. 60. Section two hundred seventy-seven point
 1223 twenty-eight (277.28), unnumbered paragraph one (1),
 1224 Code 1971, is amended to read as follows:

1225 Each director elected at a regular district or
 1226 director district election, as the case may be, shall
 1227 qualify by taking the oath of office on or before
 1228 the time set for the organization meeting of the board
 1229 the third Monday in September, and his election and
 1230 qualification entered of record by the secretary.

1231 The oath may be administered by any qualified member
 1232 of the board[,] or the secretary of the board, [or the
 1233 county superintendent of schools,] and may be taken
 1234 in substantially the following form:

1235 Sec. 61. Section two hundred seventy-nine point
 1236 seven (279.7), unnumbered paragraph one (1), Code
 1237 1971, is amended to read as follows:

1238 In any case where a vacancy or vacancies occur
 1239 among the elective officers or members of a school
 1240 board and the remaining members of such board have
 1241 not filled such vacancy within ten days after the
 1242 occurrence thereof, or when the board is reduced below
 1243 a quorum for any cause, the secretary of the board,
 1244 or if there be no secretary, the [county] superintendent
 1245 of [schools] *public instruction* shall call a special
 1246 election in the district, subdistrict, or subdistricts,
 1247 as the case may be, to fill such vacancy or vacancies,
 1248 giving the notices required by law for such special
 1249 elections, which election shall be held not sooner
 1250 than ten days nor later than fourteen days thereafter.
 1251 In any case where the secretary fails for more than
 1252 three days to call such election, the county
 1253 [superintendent] *auditor* shall call it by giving the
 1254 notices required by law for special elections.

1255 Sec. 62. Section two hundred seventy-nine point
 1256 eighteen (279.18), Code 1971, is amended to read as
 1257 follows:

1258 279.18 TUITION. The tuition cost to be mutually
 1259 agreed upon by the respective boards shall be paid
 1260 by the home district and shall be equal to the average
 1261 cost per elementary child (including both resident
 1262 and tuition students) in average daily [attendance]
 1263 *membership* in the tuition-receiving district for the
 1264 preceding year. Such tuition rates shall include
 1265 expenditures from the general fund for general control,
 1266 instruction, auxiliary agencies except transportation
 1267 costs, co-ordinate activities, operation of plant,
 1268 maintenance of plant, fixed charges including insurance

1269 on buildings and contents, capital, interest paid
 1270 for debt service from the general fund, interest paid
 1271 for debt service and retirement of bonds from the
 1272 schoolhouse fund. A pro rata charge for depreciation
 1273 on buildings shall be made at the rate of two percent
 1274 per annum on the appraised value, less bonded
 1275 indebtedness thereon, of all buildings owned by the
 1276 school corporation and used for elementary school
 1277 purposes, but not exceeding the maximum tuition rate
 1278 as determined by the state superintendent of public
 1279 instruction as prescribed in section 282.24. No
 1280 depreciation charge shall be made for the portion
 1281 of the initial cost of buildings and equipment
 1282 purchased with federal grants. [On or before July
 1283 15, 1953, the board in each school corporation
 1284 accepting tuition pupils shall cause its buildings
 1285 to be appraised and an itemized statement of the
 1286 results of the appraisal filed with the county
 1287 superintendent. Such statement shall constitute the
 1288 basis for the hereinabove provided depreciation charge.
 1289 Such appraisal shall be made by a board comprised
 1290 of the county or city assessor and one member appointed
 1291 by the local school corporation and one member
 1292 appointed by the county board of education.]
 1293 The tuition rates and the computation thereof shall
 1294 be filed with the [county board of education]
 1295 *superintendent of public instruction* not later than
 1296 July 30 for its review and approval. Receiving
 1297 districts cannot receive tuition until approval is
 1298 granted by the [county board of education] *superintendent*
 1299 *of public instruction*. [The right of appeal shall
 1300 be as provided in section 285.13.]

1301 Sec. 63. Section two hundred seventy-nine point
 1302 thirty-three (279.33), Code 1971, is amended to read
 1303 as follows:

1304 279.33 OTHER DISTRICTS—FILING STATEMENTS. In
 1305 every other school district, and in every school
 1306 district wherein no newspaper is published, the
 1307 president and secretary of the board of directors
 1308 thereof [shall file the above statement with the county
 1309 superintendent of schools] during the second week of
 1310 July of each year [and] shall post copies thereof in
 1311 three conspicuous places in the district.

1312 Sec. 64. Section two hundred eighty point seventeen
 1313 (280.17), Code 1971, is amended to read as follows:

1314 280.17 HIGHER AND GRADED SCHOOLS. The board may
 1315 establish graded and high schools and determine what
 1316 branches shall be taught therein, but the course of
 1317 study shall be subject to the approval of the state
 1318 board of public instruction. [Whenever the board in
 1319 a school township establishes a high school, such
 1320 high school can be discontinued only by an affir-
 1321 mative vote of a majority of the votes cast for and
 1322 against such proposition at an election which may
 1323 be called by the county superintendent of schools

1324 upon a petition for such election being presented
1325 signed by twenty-five percent of the electors in such
1326 township.]

1327 Sec. 65. Section two hundred eighty A point twelve
1328 (280A.12), Code 1971, is amended to read as follows:
1329 280A.12 GOVERNING BOARD. The governing board
1330 of a merged area shall be a board of directors composed
1331 of one member elected from each director district
1332 in the area by the electors of the respective district.
1333 Members of the board shall be residents of the district
1334 from which elected. Successors shall be chosen at
1335 the annual school elections for members whose terms
1336 expire on the first Monday in October following such
1337 elections. Terms of members of the board of directors
1338 shall be three years except that members of the initial
1339 board of directors elected at the special election
1340 shall determine their respective terms by lot so that
1341 the terms of one-third of the members, as nearly as
1342 may be, shall expire on the first Monday in October
1343 of each succeeding year. Vacancies on the board which
1344 occur more than ninety days prior to the next annual
1345 school election shall be filled at the next regular
1346 meeting of the board by appointment by the remaining
1347 members of the board. The member so chosen shall
1348 be a resident of the district in which the vacancy
1349 occurred and shall serve until the next annual school
1350 election, at which election a member shall be elected
1351 to fill the vacancy for the balance of the unexpired
1352 term. A vacancy shall be defined as in section 277.29.
1353 No member shall serve on the board of directors who
1354 is a member of a board of directors of a local school
1355 district or a member of [a county board of education]
1356 *board of an educational service unit.*

1357 Sec. 66. Section two hundred eighty A point
1358 seventeen (280A.17), unnumbered paragraph one (1),
1359 Code 1971, is amended to read as follows:
1360 The board of directors of each merged area shall
1361 prepare an annual budget designating the proposed
1362 expenditures for operation of the area vocational
1363 school or area community college. The board shall
1364 further designate the amounts which are to be raised
1365 by local taxation and the amounts which are to be
1366 raised by other sources of revenue for such operation.
1367 The budget of each merged area shall be submitted
1368 to the state board no later than June 1 preceding
1369 the next fiscal year for approval. The state board
1370 shall review the proposed budget and shall, prior
1371 to July 1, either grant its approval or return the
1372 budget without approval with the comments of the state
1373 board attached thereto. Any unapproved budget shall
1374 be resubmitted to the state board for final approval.
1375 Upon approval of the budget by the state board, the
1376 board of directors shall prorate the amount to be
1377 raised by local taxation among the respective [county]
1378 school [systems, or parts thereof,] *districts* in the

1379 proportion that the value of taxable property in each
1380 [system, or part thereof,] *school district* bears to
1381 the total value of taxable property in the area.
1382 The board of directors shall certify the amount so
1383 determined to the respective county auditors and the
1384 boards of supervisors shall levy a tax sufficient
1385 to raise the amount. No tax in excess of three-fourths
1386 mill shall be levied on taxable property in a merged
1387 area for the operation of an area vocational school
1388 or area community college. Taxes collected pursuant
1389 to such levy shall be paid by the respective county
1390 treasurers to the treasurer of the merged area in
1391 the same manner that other school taxes are paid to
1392 local school districts.

1393 Sec. 67. Section two hundred eighty A point twenty-
1394 one (280A.21), Code 1971, is amended to read as
1395 follows:

1396 280A.21 ELECTION TO INCUR INDEBTEDNESS. No
1397 indebtedness shall be incurred under section 280A.19
1398 until authorized by an election. *Notice of any such*
1399 *election shall be given by publication once each week*
1400 *for two consecutive weeks in each county contained*
1401 *in whole or in part within the boundaries of the*
1402 *merged area. The first publication of such notice*
1403 *in each newspaper shall appear at least ten days prior*
1404 *to the date fixed for the election. The notice shall*
1405 *state the date of the election, the hours of opening*
1406 *and closing the polls, the questions to be submitted,*
1407 *and that a complete list of all polling places and*
1408 *their exact locations is on file in the office of*
1409 *the secretary of the board of directors of the merged*
1410 *area. The secretary of the merged area shall*
1411 *continuously maintain on file a complete list of all*
1412 *polling places and their exact locations from the*
1413 *date of the first publication of the notice until*
1414 *the day following the election, and the list shall*
1415 *be available for examination by any interested person*
1416 *during hours the office is open. The publication*
1417 *of notice in the manner provided in this section shall*
1418 *be in lieu of any other notice required by law. A*
1419 *proposition to incur indebtedness and issue bonds*
1420 *for area vocational school or area community college*
1421 *purposes shall be deemed carried in a merged area*
1422 *if approved by a sixty percent majority of all voters*
1423 *voting on the proposition in the area.*

1424 Sec. 68. Chapter two hundred eighty A (280A),
1425 Code 1971, is amended by adding the following new
1426 sections:

1427 1. "Regular elections held annually by the merged
1428 area for the election of members of the board of
1429 directors as required by section two hundred eighty
1430 A point twelve (280A.12) of the Code, for the renewal
1431 of the three-fourths mill levy authorized in section
1432 two hundred eighty A point twenty-two (280A.22) of
1433 the Code, or for any other matter authorized by law

1434 and designated for election by the board of directors
1435 of the merged area, shall be held on the date of the
1436 annual school election for local school districts
1437 as established by section two hundred seventy-seven
1438 point one (277.1) of the Code. For the election the
1439 merged area shall utilize the polling places and
1440 election officials of local school districts of the
1441 area. The merged area shall contract with the local
1442 school districts at a rate not exceeding ten dollars
1443 per school voting precinct for the cost of providing
1444 election officials and polling places for the
1445 election."

1446 2. "The board of directors of the merged area
1447 shall be responsible for all details of conducting
1448 special elections for the merged area on matters
1449 authorized by law, and for the special election, the
1450 merged area board shall provide at least one polling
1451 place for each local school district."

1452 3. "Nomination papers in behalf of a candidate
1453 for a member of the board of directors of the merged
1454 area shall be filed with the secretary of the board
1455 not more than forty-five days nor less than twenty
1456 days prior to the election at which a member is to
1457 be elected. Each candidate shall be nominated by
1458 a petition signed by not less than fifty qualified
1459 electors of the director district from which the
1460 member is to be elected, which petition shall state
1461 the number of the director district from which a
1462 member is to be elected, the office to which he is
1463 to be elected, the name of the candidate and that
1464 he is a resident and elector in the director district.
1465 Signers of the petition in addition to signing their
1466 names, shall show their residence, including street
1467 and number, if any, the school district in which they
1468 reside, and the date of signing, and each nomination
1469 paper shall have appended to it an affidavit of an
1470 elector other than the candidate in substantially
1471 the form provided in section forty-three point
1472 seventeen (43.17) of the Code, except as to party
1473 affiliation."

1474 4. "The board of directors of the merged area
1475 shall cause to be printed the election ballots and
1476 the necessary forms used by judges and clerks of
1477 election and by secretaries of local school districts
1478 in making election returns. The ballots for each
1479 director district in which a vacancy occurs shall
1480 contain the names of all nominees for member of the
1481 board of directors from the director district, and
1482 the names shall be arranged in alphabetical order
1483 by surname. Not later than five days before the
1484 election, the secretary of the merged area shall
1485 deliver to the secretaries of the local school
1486 districts of the area the necessary election forms
1487 and a sufficient number of ballots for use by the

1488 electors of the director districts in which a member
1489 is to be elected."

1490 5. "Within five days following the election, a
1491 return of the votes cast in the election shall be
1492 made by the local district secretaries to the board
1493 of directors of the merged area, who shall meet not
1494 later than the last Monday of September to canvass
1495 the vote and issue certificates of election. Members
1496 elected to the board of directors of a merged area
1497 shall qualify by taking the oath of office prescribed
1498 in section two hundred seventy-seven point twenty-
1499 eight (277.28) of the Code."

1500 Sec. 69. Section two hundred eighty-one point
1501 two (281.2), Code 1971, is amended by striking the
1502 section and inserting in lieu thereof the following:

1503 281.2 DEFINITION.

1504 1. "Children requiring special education" means
1505 children under twenty-one years of age who are handi-
1506 capped in obtaining an education because of physical,
1507 mental, emotional, communication or learning problems,
1508 as defined by the rules of the department of public
1509 instruction.

1510 2. "Special education" means classroom, home,
1511 hospital, institutional, or other instruction designed
1512 to meet the needs of children requiring special
1513 education as defined in subsection one (1) of this
1514 section; transportation and corrective and supporting
1515 services required to assist children requiring special
1516 education, as defined in subsection one (1) of this
1517 section, in taking advantage of, or responding to,
1518 educational programs and opportunities, as defined
1519 by rules of the department of public instruction.

1520 It is the policy of this state to provide and to
1521 require school districts to make provision, as an
1522 integral part of public education, special education
1523 opportunities sufficient to meet the needs and maximize
1524 the capabilities of children requiring special
1525 education. This chapter is not to be construed as
1526 encouraging separate facilities or segregated pro-
1527 grams designed to meet the needs of children requiring
1528 special education when such children can benefit from
1529 all or part of the education program as offered by
1530 the local school district. To the maximum extent
1531 possible, children requiring special education shall
1532 attend regular classes and shall be educated with
1533 children who do not require special education.
1534 Whenever possible, restrictions to learning and to
1535 the normal functioning of children requiring special
1536 education within the regular school environment shall
1537 be overcome by the provision of special aids and
1538 services rather than by separate programs for those
1539 in need of special education. Special classes,
1540 separate schooling or other removal of children
1541 requiring special education from the regular
1542 educational environment, shall occur only when, and

1543 to the extent that the nature or severity of the
1544 educational handicap is such that education in regular
1545 classes, even with the use of supplementary aids and
1546 services, cannot be accomplished satisfactorily.

1547 It is the responsibility of local governments and
1548 school districts to expend effort on behalf of the
1549 education of each child requiring special education
1550 an amount at least equal to the effort expended on
1551 account of the education of each child who does not
1552 require special education. Any additional effort
1553 necessary to provide supplemental aids and services
1554 shall be the ultimate responsibility of the state
1555 but shall in part be delegated to other educational
1556 structures as authorized in the Code of Iowa.

1557 Sec. 70. Section two hundred eighty-one point
1558 three (281.3), subsections seven (7), eight (8), and
1559 nine (9), Code 1971, are amended to read as follows:

1560 7. To provide for certification by competent
1561 [medical and psychological] authorities of the
1562 eligibility of children requiring special education
1563 for admission to, or discharge from, special schools,
1564 classes or instruction.

1565 8. To initiate the establishment of classes for
1566 children requiring special education in hospitals
1567 and convalescent homes, in co-operation with the
1568 management thereof and local school districts or
1569 [county boards of education] *educational service unit*
1570 *boards*.

1571 9. To co-operate with school districts or [county
1572 boards of education] *educational service unit boards*
1573 in arranging for any child requiring special education
1574 to attend school in a district other than the one
1575 in which he resides when there is no available special
1576 school, class, or instruction in the districts in
1577 which he resides.

1578 Sec. 71. Section two hundred eighty-one point
1579 three (281.3), subsection twelve (12), Code 1971,
1580 is amended by striking the subsection and inserting
1581 in lieu thereof the following:

1582 12. To provide for the employment and establish
1583 standards for the performance of special services
1584 support personnel required to assist in the
1585 identification of and educational programs for children
1586 requiring special education.

1587 13. To provide for the establishment of special
1588 education research and demonstration projects and
1589 models for special education program development.

1590 14. To establish a special education resource,
1591 materials and training system for the purposes of
1592 developing specialized instructional materials and
1593 provide in-service training to personnel employed
1594 to provide educational services to children requiring
1595 special education.

1596 15. To approve the establishment, maintenance
1597 and reimbursement of special education programs

1598 established under this chapter pursuant to the
1599 provisions of chapter one hundred sixty-five (165),
1600 section twenty-nine (29), Acts of the Sixty-fourth
1601 General Assembly, First Session.

1602 16. To approve the acquisition and use of special
1603 facilities designed for the purpose of providing
1604 educational services to children requiring special
1605 education.

1606 17. To make rules and regulations to carry out
1607 the powers and duties provided for in this section.

1608 Sec. 72. Section two hundred eighty-one point
1609 four (281.4), Code 1971, is amended by striking the
1610 section and inserting in lieu thereof the following:

1611 281.4 POWERS OF THE BOARD OF DIRECTORS. The board
1612 of directors of any school district or educational
1613 service unit, with the approval of the state department
1614 of public instruction, may provide special education
1615 programs and services as defined in this chapter.
1616 If services are provided by the educational service
1617 unit with the approval of the department of public
1618 instruction, the board of directors of the educational
1619 service unit with the cooperation of the local school
1620 districts within its jurisdiction may:

1621 1. Establish and operate special education programs
1622 and classes for the education of children requiring
1623 special education.

1624 2. Acquire, maintain, and construct facilities
1625 in which to provide education, corrective services,
1626 and supportive services for children requiring special
1627 education.

1628 3. Make arrangements with participating school
1629 districts for the provision of special education,
1630 corrective, and supportive services to the children
1631 requiring special education residing in such school
1632 districts.

1633 4. Employ special education teachers and personnel
1634 required to furnish corrective or supportive services
1635 to children requiring special education services.

1636 5. Provide transportation for children requiring
1637 special education services that are in need of
1638 transportation in connection with any of its programs,
1639 classes or services.

1640 6. Receive, administer and expend funds
1641 appropriated for its use.

1642 7. Receive, administer and expend the proceeds
1643 of any issue of school bonds or other bonds intended
1644 wholly or partly for its benefit.

1645 8. Apply for, accept, and utilize grants, gifts
1646 or other assistance.

1647 9. Participate in, and make its employees eligible
1648 to participate in, any retirement system, group
1649 insurance system, or other program of employee
1650 benefits, on the same terms as govern school districts
1651 and their employees.

1652 10. Do such other things as are necessary and

1653 incidental to the execution of any of its powers.

1654 The board of directors of the local district or
1655 the educational service unit shall employ qualified
1656 teachers certified by the authority provided by law
1657 as teachers for children requiring such special
1658 education. The maximum number of pupils per teacher
1659 shall be determined by the board of directors of the
1660 local district or the educational service unit in
1661 accordance with the rules and regulations of the state
1662 department of public instruction.

1663 The board of directors of the local district or
1664 the educational service unit may establish and operate
1665 one or more special education centers to provide
1666 diagnostic, therapeutic, corrective, and other
1667 services, on a more comprehensive, expert, economic
1668 and efficient basis than can be reasonably provided
1669 by a single school district. Such services, if offered
1670 by the educational service unit board, may be provided
1671 in the regular schools using personnel and equipment
1672 of the educational service unit or, whenever it is
1673 impractical or inefficient to provide them on the
1674 premises of a regular school, the educational service
1675 unit board may provide services in its own facilities.
1676 To the maximum extent feasible, such centers shall
1677 be established at and in conjunction with, or in close
1678 proximity to one or more elementary and secondary
1679 schools. Centers established pursuant to this section
1680 may contain classrooms and other educational facilities
1681 and equipment to supplement instruction and other
1682 services to handicapped children in the regular
1683 schools, and to provide separate instruction to
1684 children whose degree or type of educational handi-
1685 cap makes it impractical or inappropriate for them
1686 to participate in classes with normal children.

1687 Sec. 73. Section two hundred eighty-one point
1688 five (281.5), Code 1971, is amended by striking the
1689 section and inserting in lieu thereof the following;

1690 281.5 REPORTS. Each local school district and
1691 educational service unit shall by March first of each
1692 year submit to the division of special education of
1693 the state department of public instruction a plan
1694 for providing educational programs for children
1695 requiring special education. The plan shall include
1696 the proposed budget, the names and positions of
1697 personnel employed, the rate of occurrences of the
1698 conditions which require the children to be in need
1699 of special education services, the proposed plan for
1700 meeting the needs of children requiring special
1701 education services, the geographic distribution of
1702 children requiring special education services and
1703 any other such data as may be required by the division
1704 of special education.

1705 Sec. 74. Section two hundred eighty-one point
1706 six (281.6), Code 1971, is amended to read as follows:

1707 281.6 PARENT'S OR GUARDIAN'S DUTIES. When the

1708 school district or [county board of education]
1709 *educational service unit* has provided special education
1710 [facilities] *services and programs* as provided herein
1711 for any child requiring special education, either
1712 by admission to a special class or by [special
1713 instruction] *supportive services*, it shall be the duty
1714 of the parent or guardian to enroll said child for
1715 instruction in such special classes or [instruction]
1716 *supportive services* as may be established, except
1717 in the event a doctor's certificate is filed with
1718 the secretary of the school district showing that
1719 it is inadvisable *for medical reasons* for the child
1720 requiring special education to receive the special
1721 education provided; all the provisions and condi-
1722 tions of chapter 299 and amendments thereto shall
1723 be applicable to this section, and any violations
1724 shall be punishable as provided in said chapter.

1725 *A child, or his parent or guardian, may obtain*
1726 *a review of any action or omission of state or local*
1727 *authorities pursuant to the procedures established*
1728 *in chapter 290 on the ground that the child has been*
1729 *or is about to be:*

1730 *1. Denied entry or continuance in a program of*
1731 *special education appropriate to his condition and*
1732 *needs.*

1733 *2. Placed in a special education program which*
1734 *is inappropriate to his condition and needs.*

1735 *3. Denied educational services because no suitable*
1736 *program of education or related services is maintained.*

1737 *4. Provided with special education which is*
1738 *insufficient in quantity to satisfy the requirements*
1739 *of law.*

1740 *5. Provided with special education to which he*
1741 *is entitled only by units of government or in*
1742 *situations which are not those having the primary*
1743 *responsibility for providing the service in question.*

1744 *6. Assigned to a program of special education*
1745 *when he is not handicapped.*

1746 Sec. 75. Section two hundred eighty-one point
1747 ten (281.10), Code 1971, is amended by striking the
1748 section and inserting in lieu thereof the following:

1749 **281.10 REPORT TO STATE DEPARTMENT.** By September
1750 1, 1972 and by July twentieth of each succeeding year,

1751 each board of directors of an educational service
1752 unit shall report to the division of special education
1753 on forms provided by it, such information as the
1754 division may require in order to determine the extent
1755 to which special education services have been provided
1756 to the pupils requiring special education within the
1757 districts of the area. Such statements shall include
1758 a financial report of the special education programs
1759 and services provided by the educational service unit
1760 during the preceding fiscal year and the extent to
1761 which the educational service unit will need state
1762 reimbursement for approved special education

1763 expenditures not provided for through its allocations
 1764 from the local districts. The division may require
 1765 additional information and upon determining the amount
 1766 to which the educational service unit is entitled
 1767 shall apply to the state comptroller for payment from
 1768 state funds appropriated under section one hundred
 1769 fifty-seven (157) of this Act and chapter one hundred
 1770 sixty-five (165), section twenty-nine (29), Acts of
 1771 the Sixty-fourth General Assembly, First Session.
 1772 Sec. 76. Chapter two hundred eighty-one (281),
 1773 Code 1971, is amended by adding the following new
 1774 sections:

1775 **1. "RESPONSIBILITY OF LOCAL EDUCATION AGENCY.**

1776 It shall be the responsibility of the board of
 1777 directors of each local school district to cooperate
 1778 and participate to the fullest extent possible with
 1779 the educational service unit providing special edu-
 1780 cation services and programs to children in need of
 1781 special education. It shall be the responsibility
 1782 of the local school district to inform the educational
 1783 service unit of those pupils in need of special
 1784 education and to provide those services with its own
 1785 resources that would be provided within the district
 1786 for those children not requiring special education
 1787 services. The local district shall provide classroom
 1788 facilities and programs as necessary for the purposes
 1789 of providing special education services to children
 1790 requiring special education among its resident
 1791 population in the same proportion as it provides
 1792 facilities and other educational services to its
 1793 school population not requiring special education.

1794 The educational service unit shall assist the local
 1795 district in the identification of children requiring
 1796 special education, in determining what special
 1797 education services are needed for those children
 1798 requiring special education, and shall make provision
 1799 for those services as required."

1800 **2. "APPROPRIATION TO STATE DEPARTMENT. Three**

1801 million seven hundred thousand dollars is appropriated
 1802 annually to the state department of public instruction
 1803 from the general fund of the state for the following
 1804 purposes:

1805 1. Reimbursement to the educational service unit
 1806 for continuation of existing approved special education
 1807 programs for which local or area funds are not
 1808 sufficient.

1809 2. Administrative costs incurred in providing
 1810 special education services by the educational service
 1811 unit.

1812 3. Operation of a statewide special education
 1813 resource, materials and training system.

1814 4. Approved special education research and
 1815 demonstration programs and program development models.

1816 5. Special services and programs for low incidence
 1817 handicapping conditions that cannot be efficiently

1818 or effectively provided for within the structure of
1819 the merged area.

1820 6. Educational diagnostic services as approved
1821 by the department of public instruction.

1822 7. Reimbursement to local school districts
1823 providing their own special education programs.

1824 Sec. 77. Section two hundred eighty-two point
1825 three (282.3), unnumbered paragraph one (1), Code
1826 1971, is amended to read as follows:

1827 No child under the age of six years on the fifteenth
1828 of September of the current school year shall be
1829 admitted to any public school unless the board of
1830 directors of the school [(or the county board of
1831 education)] shall have adopted and put into effect
1832 courses of study for the school year immediately
1833 preceding the first grade, approved by the department
1834 of public instruction and shall have employed a teacher
1835 or teachers for this work with standards of training
1836 approved by the department of public instruction.

1837 Sec. 78. Section two hundred eighty-two point
1838 twenty (282.20), unnumbered paragraphs one (1) and
1839 three (3), Code 1971, are amended to read as follows:

1840 The school corporation in which such student resides
1841 shall pay from the general fund to the secretary of
1842 the corporation in which he shall be permitted to
1843 enter a tuition fee sufficient to cover the average
1844 cost per high school child (including both resident
1845 and tuition students) in average daily attendance
1846 in the tuition-receiving district in the preceding
1847 year. Such tuition rates shall include expenditures
1848 from the general fund for general control, instruction,
1849 auxiliary agencies except transportation costs, co-
1850 ordinate activities, operation of plant, maintenance
1851 of plant, fixed charges including insurance on
1852 buildings and contents, capital, interest paid for
1853 debt service from the general fund, interest paid
1854 for debt service and retirement of bonds from the
1855 schoolhouse fund. A pro rata charge for depreciation
1856 on buildings shall be made at the rate of two percent
1857 per annum on the appraised value, less bonded
1858 indebtedness thereon, of all buildings owned by the
1859 school corporation and used for high school purposes,
1860 but not exceeding the maximum tuition rate as
1861 determined by the state superintendent of public
1862 instruction as prescribed in section 282.24. No
1863 depreciation charge shall be made for the portion
1864 of the initial cost of buildings and equipment
1865 purchased with federal grants. [On or before July
1866 15, 1953, the board in each school corporation
1867 accepting tuition pupils shall cause its buildings
1868 to be appraised and an itemized statement of the
1869 results of the appraisal filed with the county
1870 superintendent. Such] *The appraisal and itemized*
1871 *statement of the appraisal filed in 1953 shall*
1872 constitute the basis for the hereinabove provided

1873 depreciation charge. [Such appraisal shall be made
1874 by a board comprised of the county or city assessor
1875 and one member appointed by the local school
1876 corporation and one member appointed by the county
1877 board of education.]

1878 The tuition rates and the computation thereof shall
1879 be filed with the [county board of education]
1880 *superintendent of public instruction not later than*
1881 July 30 for its review and approval. Receiving
1882 districts cannot receive tuition until approval is
1883 granted by the [county board of education] *superintendent*
1884 *of public instruction.* [The right of appeal shall
1885 be as provided in section 285.13.]

1886 Sec. 79. Section two hundred eighty-four point
1887 four (284.4), unnumbered paragraph four (4), Code
1888 1971, is amended to read as follows:

1889 The executive council of the state shall deduct
1890 from tax-free land reimbursement claims those amounts
1891 certified to them by *the* county [boards of education]
1892 *auditor* under section 467B.14.

1893 Sec. 80. Section two hundred eighty-five point
1894 one (285.1), subsections six (6), seven (7), and nine
1895 (9), Code 1971, are amended to read as follows:

1896 6. When the school designated for attendance of
1897 pupils is engaged in the transportation of pupils,
1898 the sending or designating school shall use these
1899 facilities and pay the pro rata cost of transportation
1900 except that a district sending pupils to another
1901 school may make other arrangements when it can be
1902 shown that such arrangements will be more efficient
1903 and economical than to use facilities of the receiv-
1904 ing school, providing such arrangements are approved
1905 by the [county board of education] *superintendent of*
1906 *public instruction.*

1907 7. If a board closes either elementary or high
1908 school facilities and is approved by the [county board
1909 of education] *superintendent of public instruction*
1910 to operate its own transportation equipment, the full
1911 cost of transportation shall be paid by the board
1912 for all pupils living beyond the statutory walking
1913 distance from the school designated for attendance.

1914 9. Distance to school or to a bus route shall
1915 in all cases be measured on the public highway only
1916 and over the most passable and safest route [as
1917 determined by the county board of education], starting
1918 in the roadway opposite the private entrance to the
1919 residence of the pupil and ending in the roadway
1920 opposite the entrance to the school grounds or
1921 designated point on bus route.

1922 Sec. 81. Section two hundred eighty-five point
1923 one (285.1), subsection thirteen (13), Code 1971,
1924 is amended to read as follows:

1925 13. When a local board fails to pay transportation
1926 costs due to another school for transportation service
1927 rendered, the board of the creditor corporation shall

1928 file a sworn statement with the [county board of
 1929 education] *superintendent of public instruction*
 1930 specifying the amount due. The [county board of
 1931 education] *superintendent of public instruction* shall
 1932 check such claim and if the claim is valid shall
 1933 certify to the county auditor. The auditor shall
 1934 transmit to the county treasurer an order directing
 1935 him to transfer the amount of such claim from the
 1936 funds of the debtor corporation to the creditor
 1937 corporation and the treasurer shall pay the same
 1938 accordingly.

1939 Sec. 82. Section two hundred eighty-five point
 1940 four (285.4), Code 1971, is amended to read as follows:

1941 285.4 PUPILS SENT TO ANOTHER DISTRICT. On or
 1942 before July 8, 1949, the board in districts not
 1943 maintaining high school facilities shall by record
 1944 action designate the school or schools for attendance
 1945 of all high school pupils from their respective
 1946 districts. In making designations, the local board
 1947 shall give consideration to the wishes of the majority
 1948 of the patrons, the adequacy of the facilities and
 1949 curricular offerings and available bus service to
 1950 avoid duplication of transportation facilities to
 1951 different receiving schools.

1952 When a board closes its elementary school facilities
 1953 for lack of pupils or by action of the board, it
 1954 shall, if there is a school bus service available
 1955 in the area, designate for attendance the school
 1956 operating the buses, provided the board of such school
 1957 is willing to receive them and the facilities and
 1958 curricular offerings are adequate. The board of the
 1959 district where the pupils reside may with the approval
 1960 of the [county board of education] *superintendent of*
 1961 *public instruction*, subject to legal limitations and
 1962 established uniform standards, designate another rural
 1963 school and provide their own transportation if the
 1964 transportation costs will be less than to use the
 1965 established bus service.

1966 All designations must be submitted to the [county
 1967 board of education] *superintendent of public instruction*
 1968 on or before July 15, for review and approval. The
 1969 [county board of education] *superintendent of public*
 1970 *instruction* shall after due investigation alter or
 1971 change designations to make them conform to legal
 1972 requirements and established uniform standards for
 1973 making designations and for locating and establishing
 1974 bus routes. After designations are made, they will
 1975 remain the same from year to year except that on or
 1976 before July 15, of each year, the rural board or
 1977 parents may petition the [county board] *superintendent*
 1978 *of public instruction* for a change of designation
 1979 to another school. [Appeals from the decision of the
 1980 county board on designations may be made by either
 1981 the parents or board to the state superintendent

1982 of public instruction as provided in section 285.12
1983 and section 285.13.]

1984 Sec. 83. Section two hundred eighty-five point
1985 nine (285.9), Code 1971, is amended to read as follows:
1986 285.9 POWERS AND DUTIES OF COUNTY BOARDS. The
1987 powers and duties of the [respective county boards
1988 of education *superintendent of public instruction*
1989 shall be to:

1990 1. Enforce all laws and all rules and regulations
1991 of the state department of public instruction relating
1992 to transportation.

1993 2. Review and approve all transportation
1994 arrangements between districts [in the county] and in
1995 all districts [in the county] not operating high schools.
1996 If such transportation arrangements, designations,
1997 and contracts are not in conformity to law or
1998 established uniform standards for the locating and
1999 operating of bus routes, the [county board]
2000 *superintendent of public instruction* shall, after
2001 receiving all facts, make such alterations or changes
2002 as necessary to make the arrangements, designations,
2003 and contracts conform to the legal and established
2004 requirements and shall notify local board of such
2005 action.

2006 3. Approve all bus routes outside the boundary
2007 of the district of the school operating buses.

2008 4. When a local board fails to make designations
2009 and other necessary arrangements for transportation
2010 as required by law, the [county board] *superintendent*
2011 *of public instruction* shall, after due notice to the
2012 local board, make necessary arrangements in conformity
2013 with law and established requirements. Notice shall
2014 be given to the local board of the arrangements as
2015 made. The arrangements shall be binding on the local
2016 board which shall pay the costs for service as
2017 arranged.

2018 Sec. 84. Section two hundred eighty-five point
2019 ten (285.10), subsection eight (8), paragraphs "b"
2020 and "c", Code 1971, are amended to read as follows:

2021 [b. Boards in rural township districts desiring
2022 to close schools and transport children to schools
2023 outside district may apply to the county board of
2024 education for approval of bus routes and for approval
2025 to purchase bus. If approved, they may purchase the
2026 buses needed to provide transportation. Once approved,
2027 to purchase buses, the board may purchase replacements
2028 without approval of the county board. Additional
2029 equipment must be approved by county board of
2030 education.]

2031 [e]b. Boards in independent and consolidated
2032 districts who propose to establish transportation
2033 service for nonresident pupils must obtain approval
2034 from the [county board of education] *superintendent*
2035 *of public instruction* for establishing of bus routes
2036 and for the purchasing of additional buses to provide

2037 service as approved. Such approval shall be granted
2038 only when such schools have sufficient pupils to
2039 transport to guarantee near capacity utilization of
2040 the buses. Replacement of equipment to operate on
2041 approved routes may be purchased without [county board]
2042 approval of the superintendent of public instruction.

2043 Sec. 85 Section two hundred eighty-five point
2044 twelve (285.12), Code 1971, is amended to read as
2045 follows:

2046 285.12 DISPUTES—HEARINGS AND APPEALS. In the
2047 event of a disagreement between a school patron and
2048 the board of the school district, the patron if
2049 dissatisfied with the decision of the district board,
2050 may appeal the same to the [county board of education]
2051 superintendent of public instruction, notifying the
2052 secretary of the district in writing within ten days
2053 of the decision of the board and by filing an affi-
2054 davit of appeal with the [county board of education]
2055 superintendent of public instruction within the ten-
2056 day period. The affidavit of appeal shall include
2057 the reasons for the appeal and points at issue. The
2058 secretary of the local board on receiving notice of
2059 appeal shall certify all papers to the [county board
2060 of education] superintendent of public instruction
2061 which shall hear the appeal within [ten] fifteen days
2062 of the receipt of the papers and decide it within
2063 three days of the conclusion of the hearing and shall
2064 immediately notify all parties of its decision.
2065 [Either party may appeal the decision of the county
2066 board to the state superintendent of public instruction
2067 by notifying the opposite party and the county
2068 superintendent of schools in writing within five days
2069 after receipt of notice of the decision of the county
2070 board of education and shall file with the state
2071 superintendent of public instruction an affidavit
2072 of appeal, reasons for appeal, and the facts involved
2073 in the disagreement. The county superintendent of
2074 schools shall, within ten days of said notice, file
2075 with the state superintendent of public instruction
2076 all records and papers pertaining to the case,
2077 including action of the county board of education.
2078 The state superintendent of public instruction shall
2079 hear the appeal within fifteen days of the filing
2080 of the records in his office, notifying all parties
2081 and the county superintendent of schools of the time
2082 of hearing. The state superintendent of public
2083 instruction shall forthwith decide the same and notify
2084 all parties of his decision and return all papers
2085 with a copy of the decision to the county
2086 superintendent of schools.] The decision of the state
2087 superintendent of public instruction shall be subject
2088 to appeal to the district court. Any order of the
2089 district court shall be subject to appeal to the
2090 supreme court in accord with the statutes respecting
2091 appeals to that court. Pending final order made by

2092 the state superintendent of public instruction, or
2093 the district court, or the supreme court, as the case
2094 may be, upon any appeal prosecuted to such
2095 superintendent or to such courts, the [order of the
2096 county board of education from which the appeal is
2097 taken] *decision of the district board* shall be operative
2098 and be in full force and effect.

2099 Sec. 86. Section two hundred eighty-five point
2100 thirteen (285.13), Code 1971, is amended to read as
2101 follows:

2102 285.13 DISAGREEMENTS BETWEEN BOARDS. In the event
2103 of a disagreement between the board of a school
2104 district and the [county] board of [education] *the*
2105 *educational service unit*, the board of the school
2106 district may appeal to the state superintendent of
2107 public instruction and the procedure and times provided
2108 for in section 285.12 shall prevail in any such case.
2109 The decision of the state superintendent of public
2110 instruction shall be subject to appeal to the courts
2111 as provided for in section 285.12.

2112 Sec. 87. Section two hundred eighty-five point
2113 fifteen (285.15), Code 1971, is amended to read as
2114 follows:

2115 285.15 FORFEITURE OF REIMBURSEMENT RIGHTS. **The**
2116 failure of any local district to comply with the
2117 provisions of this chapter or any other laws relating
2118 to the transportation of pupils, or any rules or
2119 regulations made by the state department of public
2120 instruction under this chapter [or the final decisions
2121 of the county board of education], or the final
2122 decisions of the state department of public instruction
2123 shall cause such district to forfeit any rights to
2124 reimbursement for any transportation costs incurred
2125 during the period such failure to comply existed and
2126 the rights to collect transportation costs from school
2127 or parents while operating in such illegal manner.
2128 Any superintendent, board, or board member who
2129 knowingly operates or permits to be operated any
2130 school bus transporting public school pupils in
2131 violation of any school transportation law shall be
2132 deemed guilty of a misdemeanor.

2133 Sec. 88. Section two hundred eighty-eight point
2134 three (288.3), Code 1971, is amended to read as
2135 follows:

2136 288.3 SUPERVISION—WHO ADMITTED. [If such] **The**
2137 evening school [is a branch of a city or town school,
2138 the same] shall be under the supervision of the
2139 superintendent of [such city or town school, if not,
2140 the same shall be under the supervision of the county
2141 superintendent] *schools of the school district*. Such
2142 evening school shall be available to all persons over
2143 sixteen years of age who for any cause are unable
2144 to attend the public day schools of such school
2145 corporation.

2146 Sec. 89. Section two hundred eighty-nine point

2147 seven (289.7), Code 1971, is amended to read as
2148 follows:

2149 289.7 ENFORCEMENT. The enforcement of this chapter
2150 shall rest with the school board in the district in
2151 which such part-time school, department, or class
2152 shall have been established, and the state department
2153 of public instruction through its inspectors and the
2154 state board for vocational education through its
2155 supervisors of vocational education[, in conjunction
2156 with the county superintendent of schools,] are
2157 empowered to require enforcement of the same on the
2158 part of school boards.

2159 Sec. 90. Section two hundred ninety point one
2160 (290.1), Code 1971, is amended to read as follows:

2161 290.1 APPEAL TO [COUNTY SUPERINTENDENT] **STATE
BOARD.**

2162 Any person aggrieved by any decision or order of the
2163 board of directors of any school corporation in a
2164 matter of law or fact may, within thirty days after
2165 the rendition of such decision or the making of such
2166 order, appeal therefrom to the [county superintendent
2167 of the proper county] *state board of public instruction*;
2168 the basis of the proceedings shall be an affidavit
2169 filed with the [county superintendent] *state board* by
2170 the party aggrieved within the time for taking the
2171 appeal, which affidavit shall set forth any error
2172 complained of in a plain and concise manner.

2173 Sec. 91. Section two hundred ninety point two
2174 (290.2), Code 1971, is amended to read as follows:

2175 290.2 NOTICE—TRANSCRIPT—HEARING. The [county
2176 superintendent] *state board of public instruction*
2177 shall, within five days after the filing of such
2178 affidavit in his office, notify the secretary of the
2179 proper school corporation in writing of the taking
2180 of such appeal, who shall, within ten days after being
2181 thus notified, file [in the office of the county
2182 superintendent] *with the state board* a complete
2183 certified transcript of the record and proceedings
2184 relating to the decision appealed from. Thereupon,
2185 the [county superintendent] *state board* shall notify
2186 in writing all persons adversely interested of the
2187 time when and place where the matter of appeal will
2188 be heard [by him].

2189 Sec. 92. Section two hundred ninety point three
2190 (290.3), Code 1971, is amended to read as follows:

2191 290.3 HEARING—SHORTHAND REPORTER—DECISION.

2192 At the time fixed for the hearing, [he] *it* shall hear
2193 testimony for either party, and may cause the same
2194 to be taken down and transcribed by a shorthand
2195 reporter, whose fees shall be fixed by the [county
2196 superintendent] *state board* and be taxed as a part
2197 of the costs in the case, and [he] *it* shall make such
2198 decision as may be just and equitable, which shall
2199 be final unless appealed from as hereinafter provided.

2200 Sec. 93. Section two hundred ninety point four

2201 (290.4), Code 1971, is amended to read as follows:
 2202 290.4 WITNESSES—FEES—COLLECTION. The [county
 2203 superintendent] *state board of public instruction* in
 2204 all matters triable before [him] *it* shall have power
 2205 to issue subpoenas for witnesses, which may be served
 2206 by any peace officer, compel the attendance of those
 2207 thus served, and the giving of evidence by them, in
 2208 the same manner and to the same extent as the district
 2209 court may do, and such witnesses and officers may
 2210 be allowed the same compensation as is paid for like
 2211 attendance or service in such court, which shall be
 2212 paid out of the general fund of the proper school
 2213 corporation, upon the certificate of the superintendent
 2214 to and warrant of the secretary upon the treasurer;
 2215 but if the [superintendent] *state board* is of the opinion
 2216 that the proceedings were instituted without reasonable
 2217 cause therefor, or if, in case of an appeal, it shall
 2218 not be sustained, [he] *it* shall enter such findings
 2219 in the record, and tax all costs to the party
 2220 responsible therefor. A transcript thereof shall
 2221 be filed in the office of the clerk of the district
 2222 court and a judgment entered thereon by him, which
 2223 shall be collected as other judgments.

2224 Sec. 94. Section two hundred ninety point five
 2225 (290.5), Code 1971, is amended by striking the section
 2226 and inserting in lieu thereof the following:

2227 290.5 DECISION OF STATE BOARD. The decision of
 2228 the state board shall be final. The state board may
 2229 adopt rules of procedure for hearing appeals which
 2230 shall include the power to delegate the actual hearing
 2231 of the appeal to the superintendent of public
 2232 instruction and members of his staff designated by
 2233 him. The record of appeals so heard shall be reviewed
 2234 by the state board and the decision recommended by
 2235 the superintendent of public instruction shall be
 2236 approved by the state board in the manner provided
 2237 in section two hundred fifty-seven point ten (257.10),
 2238 subsection four (4), of the Code.

2239 Sec. 95. Section two hundred ninety point six
 2240 (290.6), Code 1971, is amended to read as follows:

2241 290.6 MONEY JUDGMENT. Nothing in this chapter
 2242 shall be so construed as to authorize [either] the
 2243 [county superintendent or] *state board of public*
 2244 *instruction* to render judgment for money; neither
 2245 shall they be allowed any other compensation than
 2246 is now allowed by law. All necessary postage must
 2247 first be paid by the party aggrieved.

2248 Sec. 96. Section two hundred ninety-one point
 2249 six (291.6), subsection one (1), Code 1971, is amended
 2250 to read as follows:

2251 1. PRESERVATION OF RECORDS. File and preserve
 2252 copies of all reports made [to the county
 2253 superintendent,] and all papers transmitted [to him]
 2254 pertaining to the business of the corporation.

2255 Sec. 97. Section two hundred ninety-one point
2256 ten (291.10), unnumbered paragraph one (1), Code 1971,
2257 is amended to read as follows:

2258 He shall notify the [county] superintendent of *public*
2259 *instruction* when each school is to begin and its
2260 length of term, and, ten days after the regular July
2261 meeting in each year, file with the [county]
2262 superintendent of *public instruction* a report, on
2263 blanks prepared by him for that purpose [by the
2264 superintendent of public instruction], showing:

2265 Sec. 98. Section two hundred ninety-one point
2266 eleven (291.11), Code 1971, is amended to read as
2267 follows:

2268 291.11 OFFICERS REPORTED. He shall report to
2269 the [county] superintendent of *public instruction*, the
2270 county auditor, and county treasurer the name and
2271 post-office address of the president, treasurer, and
2272 secretary of the board as soon as practicable after
2273 the qualification of each.

2274 Sec. 99. Section two hundred ninety-one point
2275 fifteen (291.15), Code 1971, is amended to read as
2276 follows:

2277 291.15 ANNUAL REPORT. He shall make an annual
2278 report to the board at its regular July meeting, which
2279 shall show the amount of the general fund and the
2280 schoolhouse fund held over, received, paid out, and
2281 on hand, the several funds to be separately stated,
2282 and he shall immediately file a copy of this report
2283 with the [county] superintendent of *public instruction*.

2284 Sec. 100. Section two hundred ninety-two point
2285 two (292.2), Code 1971, is amended to read as follows:

2286 292.2 PURCHASE OF BOOKS—DISTRIBUTION. Between
2287 the first Monday of July and the first day of October
2288 in each year, the county [board of education shall
2289 expend] *auditor shall distribute* all money withheld
2290 [by the auditor], as provided in section 292.1, [in] for
2291 the purchase of books for the use of the school
2292 district. [The county board of education may distribute
2293 the books thus purchased to the librarians of the
2294 several school districts in the proportion that the
2295 number of persons of school age living in the school
2296 district bears to the number of such persons living
2297 in the county, or may entrust the custody of such
2298 books to the county superintendent of schools to be
2299 loaned by him to schools of the county in the manner
2300 of a circulating library, provided that if the
2301 circulating library method is adopted, in whole or
2302 in part, any independent district, community district,
2303 or any consolidated district maintaining a high school
2304 shall, upon request of its board of directors, be
2305 excluded therefrom and be allowed its distributive
2306 share of such books on the basis first above mentioned
2307 in this section.] *The auditor shall distribute the*
2308 *funds to the several school districts in the proportion*

2309 *that the number of persons of school age living in*
 2310 *the district bears to the number of school age persons*
 2311 *living in the county.*

2312 Directors of the school districts having permanent
 2313 libraries shall[, upon approval by the county
 2314 superintendent of schools,] be permitted to make
 2315 temporary and permanent exchanges of books between
 2316 school districts [or to turn books over to the county
 2317 superintendent of schools to become a part of the
 2318 circulating library. The county superintendent shall
 2319 keep a record of all books in his custody].

2320 Sec. 101. Section two hundred ninety-two point
 2321 four (292.4), Code 1971, is amended to read as follows:

2322 292.4 **LISTS OF BOOKS.** The state board of
 2323 educational examiners shall prepare annually lists
 2324 of books suitable for use in school district libraries[,
 2325 and furnish copies of such lists to each county
 2326 superintendent and to each member of each county board
 2327 of education] *local school district.*

2328 Sec. 102. Section two hundred ninety-four point
 2329 one (294.1), Code 1971, is amended to read as follows:

2330 294.1 **QUALIFICATIONS—COMPENSATION PROHIBITED.**

2331 No person shall be employed as a teacher in a common
 2332 school which is to receive its distributive share
 2333 of the school fund without having [a certificate of
 2334 qualification given by the county superintendent of
 2335 the county in which the school is situated, or] a
 2336 certificate [or diploma] issued by some [other] officer
 2337 duly authorized by law.

2338 No compensation shall be recovered by a teacher
 2339 for services rendered while without such certificate
 2340 [or diploma].

2341 Sec. 103. Section two hundred ninety-four point
 2342 five (294.5), Code 1971, is amended to read as follows:

2343 294.5 **REPORTS.** The teacher shall file with the
 2344 [county superintendent] *school superintendent and the*
 2345 *superintendent of public instruction such reports*
 2346 *and in such manner as [he] may be [require] required.*

2347 Sec. 104. Section two hundred ninety-seven point
 2348 eight (297.8), Code 1971, is amended to read as
 2349 follows:

2350 297.8 **EMERGENCY REPAIRS.** When emergency repairs
 2351 costing more than [twenty-five hundred] *five thousand*
 2352 *dollars are necessary in order to prevent the closing*
 2353 *of any school, the provisions of the law with reference*
 2354 *to advertising for bids shall not apply, and in that*
 2355 *event the board may contract for such emergency repairs*
 2356 *without advertising for bids[; provided, however, that*
 2357 *before such emergency repairs can be made to any*
 2358 *schoolhouse, it shall be necessary to procure a*
 2359 *certificate from the county superintendent that such*
 2360 *emergency repairs are necessary to prevent the closing*
 2361 *of such school] , but the repair shall immediately*
 2362 *be reported to the state department of public*
 2363 *instruction.*

2364 Sec. 105. Section two hundred ninety-seven point
2365 sixteen (297.16), Code 1971, is amended to read as
2366 follows:

2367 297.16 APPRAISERS. In case the school corporation
2368 and said owner of the tract from which such school
2369 site was taken, do not agree as to the value of such
2370 site, the [county superintendent] *chief judge of the*
2371 *judicial district* of the county in which the greater
2372 part of such school corporation is situated, shall,
2373 on the written application of either party, appoint
2374 three disinterested voters of the county *from the*
2375 *list of persons eligible to serve as compensation*
2376 *commissioners* to appraise [said] *the* site.

2377 Sec. 106. Section two hundred ninety-seven point
2378 seventeen (297.17), Code 1971, is amended to read
2379 as follows:

2380 297.17 NOTICE. The county [superintendent] *sheriff*
2381 shall give notice to both parties of the time and
2382 place of making such appraisalment, which notice shall
2383 be served in the same manner and for the same time
2384 as for the commencement of action in the district
2385 court.

2386 Sec. 107. Section two hundred ninety-seven point
2387 eighteen (297.18), Code 1971, is amended to read as
2388 follows:

2389 297.18 APPRAISEMENT. Such appraisers shall inspect
2390 the premises and, at the time and place designated
2391 in the notice, appraise said site in writing, which
2392 appraisalment, after being duly verified, shall be
2393 filed with the county [superintendent] *sheriff*.

2394 Sec. 108. Section two hundred ninety-seven point
2395 nineteen (297.19), Code 1971, is amended to read as
2396 follows:

2397 297.19 PUBLIC SALE. If the owner of the tract
2398 from which said site was taken fails to pay the amount
2399 of such appraisalment to such school corporation within
2400 twenty days after the filing of same with the county
2401 [superintendent] *sheriff*, the school corporation may
2402 sell said site to any other person at the appraised
2403 value, or may sell the same at public sale to the
2404 highest bidder.

2405 Sec. 109. Section two hundred ninety-seven point
2406 twenty-two (297.22), unnumbered paragraph four (4),
2407 Code 1971, is amended to read as follows:

2408 Before the board of directors may sell, lease or
2409 dispose of any property belonging to the school
2410 corporation it shall comply with the requirements
2411 set forth in sections 297.15 to 297.20, inclusive
2412 and sections 297.23 and 297.24. Any real estate
2413 proposed to be sold shall be appraised by three
2414 disinterested freeholders residing in the school
2415 district and appointed by the [county superintendent
2416 of schools] *chief judge of the judicial district* of
2417 the county in which said real estate is located *from*
2418 *the list of compensation commissioners*.

2419 Sec. 110. Section two hundred ninety-seven point
2420 twenty-eight (297.28), Code 1971, is amended to read
2421 as follows:

2422 297.28 APPRAISERS. In case the executive council
2423 and said owner of the tract from which such school
2424 site was taken, do not agree as to the value of such
2425 site or building, the [county superintendent] *chief*
2426 *judge of the judicial district* of the county in which
2427 the greater part of such school site is situated,
2428 shall, on the written application of either party,
2429 appoint three disinterested voters of the county *from*
2430 *the list of compensation commissioners* to appraise
2431 such site. The county [superintendent] *sheriff* shall
2432 give notice to both parties of the time and place
2433 of making such appraisalment, which notice shall be
2434 served in the same manner and for the same time as
2435 for the commencement of an action in the district
2436 court.

2437 Sec. 111. Section two hundred ninety-seven point
2438 twenty-nine (297.29), Code 1971, is amended to read
2439 as follows:

2440 297.29 REPORT FILED. Such appraisers shall inspect
2441 the premises and at the time and place designated
2442 in the notice, appraise such site or building in
2443 writing, which appraisalment, after being duly verified,
2444 shall be filed with the county [superintendent] *sheriff*.

2445 Sec. 112. Section two hundred ninety-seven point
2446 thirty (297.30), Code 1971, is amended to read as
2447 as follows:

2448 297.30 PUBLIC SALE. If the owner of the tract
2449 from which said site was taken fails to pay the amount
2450 of such appraisalment to such executive council within
2451 thirty days after the filing of the same with the
2452 county [superintendent] *sheriff*, the executive council
2453 may sell said site or building to any other person
2454 at the appraised value, or may sell the same at public
2455 sale to the highest bidder and the proceeds of such
2456 sale are to be added to the permanent school fund
2457 of the state.

2458 Sec. 113. Section two hundred ninety-eight point
2459 eleven (298.11), unnumbered paragraph one (1), Code
2460 1971, is amended to read as follows:

2461 The county auditor shall, on the first Monday in
2462 April and the first Monday in October of each year,
2463 apportion the school tax, together with the interest
2464 of the permanent school fund and rents on unsold
2465 school lands to which the county is entitled as shown
2466 in notice from the state comptroller, and all other
2467 money in the hands of the county treasurer belonging
2468 in common to the schools of the county and not included
2469 in any previous apportionment, among the several
2470 corporations therein, in proportion to the number
2471 of persons of school age, as shown by the [report of
2472 the county superintendent filed with him] *reports filed*

2473 *with the state department of public instruction for*
 2474 *the year immediately preceding.*

2475 Sec. 114. Section two hundred ninety-nine point
 2476 three (299.3), Code 1971, is amended to read as
 2477 follows:

2478 299.3 REPORTS FROM PRIVATE SCHOOLS. Within ten
 2479 days from receipt of notice from the secretary of
 2480 the school corporation within which any private school
 2481 is conducted, the principal of such school shall,
 2482 once during each school year, and at any time when
 2483 requested in individual cases, furnish to such
 2484 secretary a certificate and report in duplicate of
 2485 the names, ages, and number of days attendance of
 2486 each pupil of such school over seven and under sixteen
 2487 years of age, the course of study pursued by each
 2488 such child, the texts used, and the names of the
 2489 teachers, during the preceding year and from the time
 2490 of the last preceding report to the time at which
 2491 a report is required. The secretary shall retain
 2492 one of the reports and file the other [in the office
 2493 of the county superintendent] *with the state department*
 2494 *of public instruction.*

2495 Sec. 115. Section two hundred ninety-nine point
 2496 twelve (299.12), Code 1971, is amended to read as
 2497 follows:

2498 299.12 NEGLECT BY TRUANCY OFFICER. Any truancy
 2499 officer or any director neglecting his duty to enforce
 2500 the truancy law after written notice so to do served
 2501 upon him by any citizen of the county [or by the county
 2502 superintendent] shall be liable to a fine not exceeding
 2503 twenty-five dollars and be removed from such office.
 2504 [The county attorney shall prosecute such persons upon
 2505 request of the county superintendent.] *It shall be*
 2506 *the duty of the county attorney to prosecute such*
 2507 *persons upon the official complaint of any citizen*
 2508 *of the county.*

2509 Sec. 116. Section three hundred one point five
 2510 (301.5), Code 1971, is amended to read as follows:

2511 301.5 PURCHASE—EXCHANGE. In the purchasing of
 2512 textbooks it shall be the duty of the board of
 2513 directors [or the county board of education] to take
 2514 into consideration the books then in use in the
 2515 respective districts, and they may buy such additional
 2516 number of said books as may from time to time become
 2517 necessary to supply their schools, and they may arrange
 2518 on equitable terms for exchange of books in use for
 2519 new books adopted.

2520 Sec. 117. Section three hundred one point six
 2521 (301.6), Code 1971, is amended to read as follows:

2522 301.6 SUIT ON BOND. If at any time the publishers
 2523 of such books as shall have been adopted by any board
 2524 of directors [or county board of education] shall neglect
 2525 or refuse to furnish such books when ordered by said
 2526 board in accordance with the provisions of this
 2527 chapter, at the very lowest price, either contract

2528 or wholesale, that such books are furnished any other
 2529 district or state board, then said board of direc-
 2530 tors [or county board of education] may and it is hereby
 2531 made their duty to bring suit upon the bond given
 2532 them by the contracting publisher.

2533 Sec. 118. Section three hundred one point seven
 2534 (301.7), Code 1971, is amended to read as follows:

2535 301.7 BIDS—ADVERTISEMENT. Before purchasing
 2536 textbooks from a source other than the publisher and
 2537 before purchasing supplies under the provisions of
 2538 this chapter, it shall be the duty of the board of
 2539 directors[, or county board of education,] to advertise,
 2540 by publishing a notice once each week for two
 2541 consecutive weeks in one or more newspapers published
 2542 in the county; said notice shall state the time up
 2543 to which all bids will be received, the classes and
 2544 grades for which textbooks and other necessary supplies
 2545 are to be bought, and the approximate quantity needed.

2546 Sec. 119. Section three hundred one point ten
 2547 (301.10), Code 1971, is amended to read as follows:

2548 301.10 SAMPLES AND LISTS. Any person or firm
 2549 desiring to furnish books or supplies under this
 2550 chapter [in any county] shall, at or before the time
 2551 of filing his bid hereunder, [deposit in the office
 2552 of the county superintendent] *make available samples*
 2553 of all textbooks included in his bid, accompanied
 2554 with lists giving the lowest wholesale and contract
 2555 prices for the same. [Said samples and lists shall
 2556 remain in the county superintendent's office, and
 2557 shall be delivered by him to his successor in office
 2558 and shall be kept by him in such safe and convenient
 2559 manner as to be open at all times to the inspection
 2560 of such school officers, school patrons, and school
 2561 teachers as may desire to examine the same and compare
 2562 them with others, for the purpose of use in the public
 2563 schools.]

2564 Sec. 120. Section three hundred one point eleven
 2565 (301.11), Code 1971, is amended to read as follows:

2566 301.11 BOND. The board of directors [and county
 2567 board of education mentioned] shall require any person
 2568 or persons with whom they contract for furnishing
 2569 any books or supplies to enter into a good and
 2570 sufficient bond, in such sum and with such conditions
 2571 and sureties as may be required by such board of
 2572 directors [or county board of education,] for the
 2573 faithful performance of any such contract. Bonds
 2574 of surety companies duly authorized under the laws
 2575 of Iowa shall be accepted.

2576 Sec. 121. Section three hundred one point twenty-
 2577 eight (301.28), Code 1971, is amended to read as
 2578 follows:

2579 301.28 OFFICERS AND TEACHERS AS AGENTS FOR BOOKS
 2580 AND SUPPLIES. It shall be unlawful for any school
 2581 director, *officer, or teacher*[, or member of the county

2582 board of education] to act as agent for any school
2583 textbooks or school supplies during such term of
2584 office or employment, and any school director, officer,
2585 or teacher, [or member of the county board of education]
2586 who shall act as agent or dealer in school textbooks
2587 or school supplies, during the term of such office
2588 or employment, shall be deemed guilty of a misdemeanor,
2589 and shall, upon conviction thereof, be fined not
2590 less than ten dollars nor more than one hundred
2591 dollars, and pay the costs of prosecution.

2592 Sec. 122. Section three hundred thirty-two point
2593 nine (332.9), Code 1971, is amended to read as follows:

2594 332.9 OFFICES FURNISHED. The board of supervisors
2595 shall furnish the clerk of the district court, sheriff,
2596 recorder, treasurer, auditor, county attorney, [county
2597 superintendent,] county surveyor or engineer, and
2598 county assessor, with offices at the county seat,
2599 but in no case shall any such officer, except the
2600 county attorney, be permitted to occupy an office
2601 also occupied by a practicing attorney.

2602 Sec. 123 Section three hundred forty-nine point
2603 sixteen (349.16), subsection one (1), Code 1971, is
2604 amended to read as follows:

2605 1. The proceedings of the board of supervisors,
2606 excluding from the publication of said proceedings,
2607 its canvass of the various elections, as provided
2608 by law; witness fees of witnesses before the grand
2609 jury and in the district court in criminal cases;
2610 the transcripts of justices of the peace, including
2611 their proceedings and cost[, the county superintendent's
2612 report].

2613 Sec. 124. Section four hundred forty-one point
2614 two (441.2), Code 1971, is amended to read as follows:

2615 441.2 CONFERENCE BOARD. In each county and each
2616 city having an assessor there shall be established
2617 a conference board. In counties the conference board
2618 shall consist of the mayors of all incorporated cities
2619 and towns in the county whose property is assessed
2620 by the county assessor, [members of the county boards
2621 of education as now or hereafter constituted] *the*
2622 *presidents of the boards of directors of school*
2623 *districts which have the major portion of their*
2624 *districts located within the county*, and members of
2625 the board of supervisors. In cities having an assessor
2626 the conference board shall consist of the members
2627 of the city council, school board and county board
2628 of supervisors. In the counties the chairman of the
2629 board of supervisors shall act as chairman of the
2630 conference board, in cities having an assessor the
2631 mayor of the city council shall act as chairman of
2632 the conference board. In any action taken by the
2633 conference board, the mayors of all incorporated
2634 cities and towns in the county whose property is
2635 assessed by the county assessor shall constitute one
2636 voting unit, the members of the [county or] city board

2637 of education or the presidents of the boards of
 2638 directors of the school districts shall constitute
 2639 one voting unit, the members of the city council shall
 2640 constitute one voting unit, and the county board of
 2641 supervisors shall constitute one voting unit, each
 2642 unit having a single vote and no action shall be valid
 2643 except by the vote of not less than two out of the
 2644 three units. The majority vote of the members present
 2645 of each unit shall determine the vote of the unit.
 2646 The assessor shall be clerk of the conference board.

2647 Sec. 125. Section four hundred sixty-seven B point
 2648 fourteen (467B.14), Code 1971, is amended to read
 2649 as follows:

2650 467B.14 ALLOCATION [TO COUNTY BOARD OF EDUCA-
 TION

2651 FUND]. Sixty-five percent of any such payments or
 2652 payment received from the federal government shall
 2653 be [credited to the county board of education fund
 2654 as created by section 273.13 and the county board
 2655 of education shall determine the districts of the
 2656 county which are principally affected in their activi-
 2657 ties by the federal flood control project involved
 2658 and shall allocate to the general fund of each said
 2659 school district the amount of such federal payments
 2660 paid to the county board of education fund] *distributed*
 2661 *to the general fund of the school districts of the*
 2662 *county after the county auditor has determined the*
 2663 *districts which are principally affected by the federal*
 2664 *flood control project involved in an amount deemed*
 2665 *to be the equitable share of each such district and*
 2666 *the amount allocated to each school district shall*
 2667 *be paid over [by the county board of education] to the*
 2668 *treasurer of such school district.*

2669 The county [board of education] *auditor* shall certify
 2670 to the executive council of the state the amounts
 2671 allocated to each school district in the previous
 2672 year, on January second of the following year. The
 2673 executive council of the state shall deduct this
 2674 amount from any tax free land reimbursement claim
 2675 filed that year under section 284.4; **except that in**
 2676 no case shall the deduction result in an amount less
 2677 than the total of the tax free land reimbursement
 2678 plus any benefits payable to the school district other
 2679 than the amounts specified in this paragraph. The
 2680 remaining ten percent of any such payment received
 2681 by the county treasurer from the federal government,
 2682 or so much thereof as may be deemed necessary by
 2683 the board of supervisors, shall be allocated to the
 2684 local fire departments of the unincorporated villages,
 2685 towns, townships and cities of the county which are
 2686 principally affected by the federal flood control
 2687 project involved, to be paid and prorated among them
 2688 as determined by the board of supervisors. If the
 2689 funds prorated to local fire departments in any county
 2690 are less than ten percent of the total county share

2691 of such federal payments for any year, the amount
 2692 which exceeds such prorations shall revert back to
 2693 and be divided equally between the secondary road
 2694 fund and the [county board of education] *local school*
 2695 *district* fund.

2696 Sec. 126. Sections two hundred sixty point eighteen
 2697 (260.18), two hundred sixty point twenty (260.20),
 2698 two hundred sixty point twenty-two (260.22), two
 2699 hundred seventy-four point forty-two (274.42), two
 2700 hundred seventy-four point forty-three (274.43), two
 2701 hundred seventy-four point forty-four (274.44), two
 2702 hundred seventy-four point forty-five (274.45), two
 2703 hundred seventy-four point forty-six (274.46), two
 2704 hundred seventy-five point two (275.2), two hundred
 2705 seventy-five point three (275.3), two hundred seventy-
 2706 five point four (275.4), two hundred seventy-five
 2707 point eight (275.8), two hundred seventy-five point
 2708 nine (275.9), two hundred seventy-five point sixteen
 2709 (275.16), two hundred seventy-five point forty
 2710 (275.40), two hundred seventy-nine point thirty-six
 2711 (279.36), two hundred eighty A point fifteen (280A.15),
 2712 two hundred eighty-one point nine (281.9), two hundred
 2713 ninety-two point three (292.3), three hundred one
 2714 point nineteen (301.19), and three hundred one point
 2715 twenty (301.20), and chapters two hundred seventy-
 2716 two (272) and two hundred seventy-three (273), Code
 2717 1971, and chapter forty-eight (48), Acts of the Sixty-
 2718 fourth General Assembly, First Session, are repealed.

2719 2. Amend the title, page 1, line 1, by inserting
 2720 after the word "systems" the words ", to establish
 2721 a system of educational service units, and to provide
 2722 a method of finance".

CHARLES E. GRASSLEY, Chairman

AMENDMENTS FILED

- 1 Amend the Senate amendment to House File 734 as
- 2 follows:
- 3 1. Line 3, by inserting after the word "Billboard"
- 4 the word "Control".
- 5 2. Line 165, by striking the words "read or" and
- 6 inserting in lieu thereof the words "seen but not
- 7 necessarily".
- 8 3. Line 266, by inserting after the word "erected"
- 9 the words "by the commission".
- 10 4. Line 278, by striking the words "vehicle
- 11 service and repair" and inserting in lieu thereof the
- 12 words "gas and associated services which means the
- 13 business shall be in continuous operation sixteen
- 14 hours per day, seven days per week, with telephones
- 15 and restroom facilities, motor fuel, oil, and water,
- 16 including trade names."
- 17 5. By striking lines 279 and 280 and inserting in
- 18 lieu thereof the following:
- 19 "Commercial vendors using informational signs

20 shall furnish and maintain informational panels to
 21 the commission and the commercial vendor shall pay
 22 an annual fee of twenty-five dollars for each informa-
 23 tional panel to the commission for posting such
 24 informational panels. There is created in the office
 25 of the treasurer of state a fund to be known as the
 26 'highway beautification fund' and all funds received
 27 for the posting of informational panels shall be
 28 deposited in the 'highway beautification fund'."

29 6. Line 548, by inserting after the period the
 30 words "All moneys received pursuant to the provisions
 31 of this Act shall be deposited in the 'highway
 32 beautification fund'."

HOLDEN of Scott
 WAUGH of Monona
 UBAN of Black Hawk
 FREEMAN of Buena Vista
 NYSTROM of Boone
 SCHWIEGER of Black Hawk

1 Amend House File 1038 by inserting after line 6
 2 the following new section:

3 "Sec. 2. This Act, being deemed of immediate
 4 importance, shall take effect and be in force from
 5 and after its publication in the Evening Democrat,
 6 a newspaper published in Fort Madison, Iowa, and in
 7 The Daily Gate City, a newspaper published in Keokuk,
 8 Iowa."

CLARK of Lee

1 Amend House File 1156 as follows:

2 1. Page 4, after the period in line 7 add the
 3 following:

4 "This subsection is subject to Article one (I),
 5 Section ten (10), of the Constitution of the United
 6 States".

7 2. Page 6, amend line 1 by striking the words
 8 "property and".

9 3. Page 6, after line 8 by adding a new section:

10 "The authority shall cease to exist when the
 11 purpose for which it was formed is accomplished and
 12 after its debts and bonds are paid. Any funds remain-
 13 ing shall revert to the general fund of the state.
 14 The general assembly shall dispose of or designate the
 15 use of property for which the authority was
 16 responsible."

TAYLOR of Dubuque

1 Amend House File 1197, page 8, by striking lines
 2 20, 21, and 22 and inserting in lieu thereof the
 3 following:

4 "6. RESTRICTED EXEMPTIONS. The exemptions
 5 granted under the provisions of section four hundred
 6 twenty-seven point one (427.1) of the Code shall extend
 7 to only the first twenty thousand dollars of actual
 8 value of each single-family dwelling and the land on

9 which it is constructed, which is used as a single-
 10 family dwelling by an employee of the organization,
 11 society, or agency whose property is otherwise exempt
 12 from property taxes. To qualify for this restricted
 13 exemption, the organization, society, or agency must
 14 file with the county assessor annually, on or before
 15 July first, a claim for the exemption on forms
 16 provided by the county assessor."

ROORDA of Jasper

1 Amend House File 1197, page 9, by inserting after
 2 line 2, the following new sections:
 3 "Sec. Section four hundred four point fifteen
 4 (404.15), Code 1971, is repealed.
 5 Sec. House File five hundred seventy-four
 6 (574), section eighty-two (82), Acts of the Sixty-
 7 fourth General Assembly, Second Session, is amended
 8 to read as follows:
 9 Sec. 82. A city may certify taxes to be levied
 10 by the county on all taxable property within the
 11 city limits, for all city government purposes.
 12 However, the tax levied by a city on lots of more
 13 than ten acres and the personal property thereon,
 14 occupied and used for agricultural or horticultural
 15 purposes, may not exceed [one and one-fourth mills in
 16 any year] *the amount to be derived from the maximum*
 17 *millage which counties are permitted to levy for*
 18 *road purposes on such property.* A city's tax levy
 19 for the general fund may not exceed thirty mills on
 20 the dollar of taxable value in any tax year, except
 21 for levies authorized in section ninety-three (93)
 22 of this Act."

SMALL of Johnson

1 Amend House File 1197 as follows:
 2 1. Page 7, by striking from line 30 the word
 3 "and" and all of lines 31, 32 and 33.

ALT of Polk

1 Amend Senate File 1003, as amended and passed by
 2 the Senate and reprinted, as follows:
 3 1. By inserting after line 3, the following:
 4 Section 1. Section two hundred thirty-nine point
 5 five (239.5), Code 1971, is amended by adding the
 6 following new paragraph:
 7 "The county attorney shall prepare an itemized
 8 statement of the amount of his salary and expenses of
 9 his office, including the salary and expense of other
 10 persons employed by him, which is attributable to
 11 collection of support money as provided in this sec-
 12 tion. Annually, the county board of supervisors shall
 13 review the itemized statement, and if it finds the
 14 statement correct shall submit it to the state direc-
 15 tor, who shall cause the county to be paid from the
 16 aid to dependent children fund an amount which is a

17 percentage of the total amount attributable to col-
 18 lection of support payments, equal to the percentage
 19 contributed by the state to total aid to dependent
 20 children payments."

21 Sec. 2. Section two hundred forty-nine point
 22 twenty-seven (249.27), Code 1971, is amended by adding
 23 the following new paragraph:

24 "The county attorney of each county shall prepare
 25 an itemized statement of the amount of his salary and
 26 expenses of his office, including the salary and ex-
 27 penses of other persons employed by him, which is
 28 attributable to collection of support for an applicant
 29 or recipient of assistance, as provided in this sec-
 30 tion. Annually, the county board of supervisors shall
 31 review the itemized statement, and if it finds the
 32 statement correct shall submit it to the state direc-
 33 tor, who shall cause the county to be paid from the
 34 old-age assistance fund an amount which is a percent-
 35 age of the total amount attributable to collection of
 36 support, equal to the percentage contributed by the
 37 state to total old-age assistance payments."

38 2. Page 1, line 4, by striking the word and numer-
 39 al "Section 1." and inserting in lieu thereof "Sec. 3."

40 3. Page 1A by inserting after line 29, the follow-
 41 ing new section:

42 Sec. 4. Section five hundred ninety-eight point
 43 thirty-four (598.34), Code 1971, is amended by adding
 44 the following new paragraph:

45 "The county attorney of each county shall prepare
 46 an itemized statement of the amount of his salary and
 47 expenses of his office, including the salary and ex-
 48 penses of other persons employed by him, which is
 49 attributable to collection of support payments as pro-
 50 vided in this section. Annually, the county board
 51 of supervisors shall review the itemized statement,
 52 and if it finds the statement correct shall submit it
 53 to the director of the division of child and family
 54 services of the department of social services, who
 55 shall cause the county to be paid from the aid to de-
 56 pendent children fund an amount which is a percentage
 57 of the total amount attributable to collection of
 58 support payments, equal to the percentage contributed
 59 by the state to total aid to dependent children pay-
 60 ments."

CAMP of Clinton

1 Amend Senate File 1008 as amended and passed by
 2 the Senate and reprinted, as follows:

3 1. Page 6, line 13, by striking the words ", if
 4 upon such acquisition" and inserting in lieu thereof
 5 the words "; or acquire the assets of, assume the
 6 liabilities of or merge with an existing bank; or
 7 charter a new bank, if upon such acquisition, assump-
 8 tion, merger or chartering".

9 2. Page 6, by inserting after line 19 the follow-

10 ing:

11 "No company domiciled in a state other than Iowa
12 which is itself, or is the owner of, a company which
13 is by operation of federal law a bank holding company,
14 but which owned no more than one bank in Iowa on
15 January 1, 1971, shall acquire additional banks in
16 this state by issuance of a charter to establish a
17 new state bank, nor by acquisition directly or
18 indirectly of any of the voting shares of, any inter-
19 est in, all or substantially all of the assets of, or
20 power to control in any manner the election of any of
21 the directors of, nor by assumption of the liabilities
22 of any existing bank in this state."

FISCHER of Grundy

1 Amend Senate File 1008 as amended and passed by the
2 Senate and reprinted, as follows:

- 3 1. Page 7A, by striking lines 10 through 20, inclusive.
- 4 2. Renumber remaining sections in accordance with this
- 5 amendment.

FREEMAN of Buena Vista
MILLEN of Van Buren
HANSEN of Black Hawk
MAYBERRY of Webster
DRAKE of Muscatine
CAMP of Clinton
DEN HERDER of Sioux
ELLSWORTH of Dubuque

1 Amend Senate File 1008, as amended, passed, and
2 reprinted by the Senate, as follows:

- 3 1. Page 4, line 19, by inserting after the
4 word "corporation" the words "in which its principal
5 place of business is located or within the county in
6 which its principal place of business is located or
7 any cornering to or cornering upon the county
8 in which its principal place of business is located".
- 9 2. Page 4, line 21, by inserting after the
10 period the words "A state bank located in a county
11 having a population over 50,000 and having its
12 principal place of business within a municipal
13 corporation having a population which when combined
14 with the population of the unincorporated area of such
15 county would not exceed 50% of the total population
16 of that county may establish not more than two bank
17 offices within the boundaries of the municipal
18 corporation in which its principal place of business
19 is located or within the unincorporated area of that
20 county."

HOLDEN of Scott

1 Amend Senate File 1070, as amended and passed
2 by the Senate, by striking all after the word
3 "districts," in line 9 and all of lines 10 through 18
4 and inserting in lieu thereof the following: "county
5 or joint county school systems and merged areas. A

6 committee, consisting of the state superintendent of
 7 public instruction, the director of the department
 8 of general services, the state comptroller, or their
 9 designees, and two persons knowledgeable in the area
 10 of administrative-instructional computer systems to
 11 be appointed by the governor, shall assist and advise
 12 the state board of public instruction in approving,
 13 coordinating and supervising the use of electronic
 14 data processing computers by local school districts,
 15 county or joint county school systems and merged
 16 areas. The committee shall further inventory current
 17 practice and prepare and recommend a statewide plan
 18 for the use of electronic data processing computers
 19 in order to prevent the unnecessary proliferation of
 20 computers. These recommendations shall be submitted
 21 to the General Assembly by December 1, 1972 and
 22 annually thereafter by December 1 of each year. For
 23 purposes of this Act the term 'electronic data
 24 processing computers' shall refer to equipment having
 25 as a component thereof a memory core to store
 26 information."

SMALL of Johnson
 GRASSLEY of Butler
 STROMER of Hancock

1 Amend Senate File 1090, as amended and passed by
 2 the Senate, by striking from section 1 the following:
 3 "*to a private facility approved by the commissioner*
 4 *upon application of a board of supervisors wherein*
 5 *such facility is located, or*".

REX of Hamilton

1 Amend Senate File 184 as amended and passed by
 2 the Senate and reprinted, page 3, by inserting after
 3 line 11 the following new subsection:
 4 "8. The department shall ask for and receive
 5 guidance, without cost to the state, from a
 6 council of three licensed hearing aid dealers
 7 named for this purpose by the Board of the Iowa
 8 Hearing Aid Dealers Association."

LAWSON of Cerro Gordo

On motion by Varley of Adair, the House adjourned until 9:00
 a.m., Thursday, February 24, 1972.

JOURNAL OF THE HOUSE

Forty-Sixth Calendar Day—Thirty-fourth Session Day

HALL OF THE HOUSE OF REPRESENTATIVES
DES MOINES, IOWA, THURSDAY, FEBRUARY 24, 1972

The House met pursuant to adjournment, Speaker Harbor in the chair.

Prayer was offered by Father C. A. Egart, pastor of Our Lady of Victory Church, Davenport, Iowa.

The Journal of Wednesday, February 23, 1972, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Larry Boeke, West Union, Iowa.

PRESENTATION OF VISITORS

Waugh of Monona presented to the House the Honorable Oliver P. Bennett, State Senator from the Thirty-fourth District, 1929-34, and Commissioner of Insurance 1955-1959.

Logemann of Worth presented to the House the Honorable Dale E. Erdahl, State Representative from Blue Earth, Minnesota.

Speaker Harbor presented Carlos Nieves, a Foreign Exchange Student from Montevideo, Uruguay, who is attending school in Baxter, Iowa.

The Speaker announced that the following visitors were present in the House chamber:

Twenty-nine fifth grade students from Cassiday School, Des Moines, Iowa, accompanied by Doris Stukenberg. By Jesse of Polk.

Forty-four students from Maquoketa Junior High School, Maquoketa, Iowa, accompanied by Charlie Sheridan. By Norpel of Jackson.

Forty-five students from Don Bosco High School, Gilbertville,

Iowa, accompanied by Dan Mashek, Mrs. Wilma Arms and Mrs. Brandhorst. By Husak of Tama.

Fourteen Girl Scout Cadettes from Shenandoah, Iowa, accompanied by Mrs. Elmer Mathews. By McElroy of Fremont.

PETITIONS FILED

The following petitions were received and placed on file:

By Camp of Clinton from forty-nine Clinton County residents opposing taxation of church-related properties.

By Miller of Marshall from eighty-eight residents of Marshall County and Christensen of Union from one hundred twenty residents of Woodbury County, opposing Senate File 356, relating to permits to carry concealed weapons.

By Kehe of Bremer from over six hundred residents of Bremer County favoring educational TV in northeast Iowa.

By Dougherty of Monroe from seventeen residents, officers and employees of the courthouse of Monroe County favoring House File 1123, relating to salaries of certain county officers.

By Menefee of Fayette from one thousand fifty-five residents of Fayette County favoring statewide educational television.

By Ellsworth of Dubuque from one thousand seven hundred seventy-nine signatures favoring House File 352, relating to the Vietnam bonus bill.

ADOPTION OF COMMITTEE REPORT

The Chief Clerk announced the adoption of reports of committees on House File 291, under Rule 35.

INTRODUCTION OF BILLS

House File 1252, by Taylor, a bill for an act relating to the method of selection and term of office of the members of the state highway commission and the chief engineer of the state highway commission.

Read first time and referred to committee on **transportation**.

House File 1253, by committee on social services, a bill for an act relating to the use of ambulance services at university hospital.

Read first time and placed on the calendar.

House File 1254, by committee on law enforcement, a bill for an act relating to the dollar amount necessary for the commission of a felony.

Read first time and placed on the calendar.

House File 1255, by Holden, a bill for an act relating to the distribution of motor vehicle registration fees by county treasurers.

Read first time and referred to committee on county government.

REREFERRED TO COMMITTEE ON STATE GOVERNMENT
(House File 1140)

The Speaker announced that **House File 1140** previously referred to the committee on human and industrial relations is rereferred to the committee on state government.

MOTION TO RECONSIDER WITHDRAWN
(Senate File 1125)

Tieden of Clayton asked and received unanimous consent to withdraw his motion to reconsider Senate File 1125 filed on February 22, 1972, and found on page 606 of the House Journal.

MOTION TO RECONSIDER WITHDRAWN
(Senate File 428)

Curtis of Cherokee asked and received unanimous consent to withdraw the motion to reconsider Senate File 428, filed by Curtis, et al., on February 22, 1972, and found on page 609 of the House Journal.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File 680, a bill for an act clarifying the status of law-enforcement officers.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File 1148, a bill for an act relating to the civil rights of physically and mentally handicapped persons.

CARROLL A. LANE, Secretary

HOUSE CONCURRENT RESOLUTION 118

By Small

Whereas, a great deal of railroad right-of-way has been or will be abandoned in Iowa; and

Whereas, the disposition of abandoned railroad right-of-way is of great importance to the state of Iowa, *Now Therefore*,

Be It Resolved by the House of Representatives, the Senate Concurring, That the legislative council is authorized to create a study committee, as provided by law, which committee shall include members of the appropriate standing committees of the House of Representatives and the Senate, to conduct during the 1972-1973 legislative interim a comprehensive study of the abandonment of railroad right-of-way, the laws relating thereto, and the proper disposition of abandoned railroad right-of-way; and

Be It Further Resolved, That the study committee shall include non-legislative members having special knowledge in the areas of property law and the operation of railway corporations; and

Be It Further Resolved, That a report of the study shall be prepared and submitted to the legislative council and the members of the Sixty-fifth General Assembly, First Session, and shall be accompanied by legislative bill drafts designed to carry out the recommendations of the committee.

Laid over under Rule 25.

CONSIDERATION OF BILLS

REGULAR CALENDAR

House File 1141, a bill for an act relating to unfair trade practices in the business of insurance and providing a penalty, with report of committee recommending passage, was taken up for consideration.

Ellsworth of Dubuque offered the following amendment filed by him and moved its adoption:

Amend House File 1141 as follows:

1. Page 9 by striking line 16 through line 18 and inserting in lieu thereof the words "4. If a violation".
2. Page 10 by striking line 20 and in line 21 the words "*violation of this chapter*", and inserting in lieu thereof the words "*such violation was willful*".
3. Page 10 by striking line 25 through line 27 and inserting in lieu thereof the following:
 - b. *Suspension or revocation of the license of a person as defined in section five hundred seven B point two (507B.2), subsection one (1) of the Code, if he knew or reasonably should have known he was in violation of section five hundred seven B point four (507B.4) or section*

five hundred seven B point five (507B.5) of the Code.

4. Page 12, line 13, by striking the figures 507B.8 and inserting in lieu thereof the figures "507B.7".

The amendment was adopted.

Ellsworth of Dubuque moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1141)

The ayes were, 91:

Alt	Franklin	Mendenhall	Shaw
Anania	Freeman	Menefee	Siglin
Andersen	Gluba	Middleswart	Skinner
Bennett	Grassley	Millen	Small
Bergman	Hamilton	Miller	Sorg
Blouin	Hansen	Moffitt	Stanley
Bray	Hill	Mollett	Stokes
Camp	Holden	Monroe	Strand
Campbell	Husak	Nielsen	Stromer
Christensen	Johnston	Norpel	Strothman
Clark	Kelly	Nystrom	Taylor
Cochran	Kennedy	Patton	Tieden
Curtis	Kinley	Pellett	Trowbridge
Den Herder	Knoblauch	Pierson	Varley
Dougherty	Knoke	Priebe	Waugh
Doyle	Kruse	Radl	Welden
Drake	Larson	Rex	Wells
Dunton	Lawson	Rodgers	Willits
Edelen	Lipsky	Sargisson	Winkelman
Egenes	Logemann	Schmeiser	Wirtz
Ellsworth	Mayberry	Schroeder	Wyckoff
Fischer, H. O.	McCormick	Schwartz	Mr. Speaker
Fisher, C. R.	McElroy	Scott	

The nays were, 3:

Jesse	Roorda	Uban
-------	--------	------

Absent or not voting, 6:

Ewell	Kehe	Pelton	Schwieger
Goode	Kreamer		

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

Senate File 1008, a bill for an act relating to bank holding companies, bank offices, certain real estate loans by state banks, and fees paid by state banks for management, financial advice, consultation or services, and prescribing penalties for violations, with report of committee recommending passage, was taken up for consideration.

RULE 71 INVOKED

(Senate File 1008)

I request permission to invoke Rule 71 on myself with regard to Senate File 1008 and all amendments and motions thereto.

KREAMER of Polk

Gluba of Scott offered the following amendment filed by him and moved its adoption:

Amend Senate File 1008, as passed and reprinted by the Senate as follows:

1. Page 2, by adding after line 2, the following:

“.... By amending subsection two (2), paragraph a, to read as follows:

a. [Eighty] *Eighty-five* percent of the appraised value of the real property offered as security and for a term not longer than twenty-five years, provided that the loan is secured by an amortized mortgage, deed of trust or other such instrument under the terms of which the installment payments are sufficient to amortize the entire principal of the loan within a period of not more than twenty-five years.”

The amendment lost.

Small of Johnson offered the following amendment filed by him and Gluba of Scott and moved its adoption:

Amend Senate File 1008 as amended and passed by the Senate and reprinted, as follows:

1. Page 4, line 16, by inserting after the word “corporation” the words “, except in situations where subsection four (4) of this section is applicable”.

2. Page 4, line 21, by striking the word “A” and inserting in lieu thereof the words “Except as otherwise provided in subsection three (3) of this section, a”.

3. Page 5, by inserting after line 4 the following new subsections:

“3. The superintendent shall not approve the location of any new bank office, or the relocation of any existing bank office, in any municipal corporation which is part of an urban complex as defined in subsection two (2) of this section, and in which fewer than three chartered banks have their principal places of business, by any bank whose principal place of business is located outside that municipal corporation, for a period of two years after the effective date of this Act. During such period, if any applications for new bank charters in that municipal corporation are submitted by reputable groups of incorporators none of whom are engaged in the business of banking as owners of an interest in any bank having its principal place

of business in the urban complex of which the municipal corporation is a part, and who have complied with all applicable requirements of this chapter, at least one such application shall be approved unless the superintendent finds in writing that the municipal corporation is receiving adequate banking services from existing banks or bank offices. Where such a finding has been made, no bank office shall thereafter be located or relocated in that municipal corporation by a bank which has its principal place of business outside that municipal corporation unless the superintendent first gives one year's public notice of intent to approve such location or relocation of a bank office. If during the one year period following such notice any applications for new bank charters in that municipal corporation are submitted by reputable groups of incorporators meeting all qualifications previously set forth in this subsection, at least one such application shall be approved unless the superintendent finds in writing that the need for increased availability of banking services is not sufficient to support a new chartered bank. Any such finding shall be subject to judicial review, but the decision of the superintendent shall be upheld unless unsupported by substantial evidence.

4. Any bank office located or relocated after July 1, 1972 in a municipal corporation which is part of an urban complex as defined by subsection two (2) of this section, by a bank which has its principal place of business outside that municipal corporation, shall be removed from that municipal corporation within one year of the chartering of any new bank therein, if the continued operation of such bank office there would result in the municipal corporation having more than one bank or bank office for each five thousand inhabitants or major fraction thereof."

Roll call was requested by Gluba of Scott and Small of Johnson.

On the question "Shall the amendment be adopted?"

The ayes were, 13:

Bray	Larson	Patton	Small
Dunton	Mayberry	Radl	Uban
Gluba	Middleswart	Schmeiser	Willits
Kennedy			

The nays were, 65:

Andersen	Dougherty	Holden	Menefee
Bennett	Drake	Kehe	Millen
Bergman	Edelen	Kelly	Miller
Blouin	Egenes	Knoke	Moffitt
Campbell	Ellsworth	Kruse	Mollett
Christensen	Fischer, H. O.	Lawson	Nielsen
Clark	Fisher, C. R.	Lipsky	Norpel
Cochran	Hamilton	McCormick	Nystrom
Curtis	Hansen	McElroy	Pellett
Den Herder	Hill	Mendenhall	Pierson

Rex	Siglin	Strothman	Welden
Rodgers	Sorg	Taylor	Wells
Roorda	Stanley	Tieden	Winkelman
Sargisson	Stokes	Trowbridge	Wirtz
Schwieger	Strand	Varley	Wyckoff
Scott	Stromer	Waugh	Mr. Speaker
Shaw			

Absent or not voting, 22:

Alt	Freeman	Kinley	Pelton
Anania	Goode	Knoblauch	Priebe
Camp	Grassley	Kreamer	Schroeder
Doyle	Husak	Logemann	Schwartz
Ewell	Jesse	Monroe	Skinner
Franklin	Johnston		

The amendment lost.

Holden of Scott asked and received unanimous consent to withdraw the amendment filed by him on February 16, 1972, and found on page 521 of the House Journal.

Small of Johnson offered the following amendment filed by him and moved its adoption:

Amend Senate File 1008, as amended and passed by the Senate and reprinted, page 4, by striking from line 21 the words "A state", all of lines 22 through 34, and through the word "complex." in line 35.

Roll call was requested by Small of Johnson and Gluba of Scott.

On the question "Shall the amendment be adopted?"

The ayes were, 21:

Blouin	Kennedy	Monroe	Scott
Bray	Larson	Patton	Skinner
Cochran	Mayberry	Priebe	Small
Dunton	McCormick	Radl	Uban
Gluba	Middleswart	Rodgers	Willits
Johnston			

The nays were, 61:

Anania	Hansen	Moffitt	Stokes
Andersen	Hill	Mollett	Strand
Bennett	Holden	Nielsen	Stromer
Bergman	Kehe	Norpel	Strothman
Camp	Kelly	Nystrom	Taylor
Campbell	Knoblauch	Pellett	Tieden
Clark	Knoke	Pierson	Trowbridge
Curtis	Kruse	Roorda	Varley
Dougherty	Lawson	Sargisson	Waugh
Drake	Lipsky	Schroeder	Welden
Edelen	McElroy	Schwartz	Wells
Ellsworth	Mendenhall	Schwieger	Winkelman
Fischer, H. O.	Menefee	Shaw	Wirtz
Fisher, C. R.	Millen	Sorg	Wyckoff
Franklin	Miller	Stanley	Mr. Speaker
Hamilton			

Absent or not voting, 18:

Alt	Ewell	Jesse	Pelton
Christensen	Freeman	Kinley	Rex
Den Herder	Goode	Kreamer	Schmeiser
Doyle	Grassley	Logemann	Siglin
Egenes	Husak		

The amendment lost.

Curtis of Cherokee offered from the floor the following Curtis-Priebe-Nystrom-Freeman-Mendenhall amendment:

Amend Senate File 1008, as amended and passed by the Senate and reprinted, as follows:

1. Page 4, by striking lines 22 through 34 and by striking from line 35 the words "boundaries of the municipal corporation or urban complex" and inserting in lieu thereof the following:

"bank located in a municipal corporation, or in an urban complex composed of two or more Iowa municipal corporations each of which is contiguous to or corners upon at least one of the other municipal corporations within the complex, having a population according to the last decennial federal census of over 200,000, may establish four such offices within the boundaries of the municipal corporation or urban complex".

2. Page 6, line 15, by striking the words "and one-half".

Division of the amendment was requested.

Schroeder of Pottawattamie offered the following amendment from the floor to amendment 1 of the Curtis amendment and moved its adoption:

Amend the Curtis, et al., amendment to Senate File 1008, filed February 24, 1972, as follows:

1. Line 8, by striking the word "Iowa".
2. Line 9, by inserting after the word "corporations" the following: ", whether within or without the state of Iowa,".

A non-record roll call was requested.

The ayes were 33, nays 53.

The amendment to the amendment lost.

Small of Johnson offered from the floor the following amendment to amendment 1 of the amendment and moved its adoption:

Amend the Curtis, et al., amendment to Senate File 1008, filed February 24, 1972, by striking from line 13 the word "four" and inserting in lieu thereof the word "two".

The amendment to the amendment lost.

Skinner of Polk offered from the floor the following amendment to amendment 1 of the amendment:

Amend the Curtis, et al., amendment to Senate File 1008 as passed and reprinted by the Senate by inserting in line 9 after the word "to" the following: "on the effective date of this act".

Varley of Adair moved the previous question on Senate File 1008 and all amendments and motions filed thereto.

A non-record roll call was requested.

The ayes were 53, nays 39.

The motion having failed to receive a three-fifths majority lost.

(Senate File 1008 and Skinner amendment to Curtis amendment pending.)

The House was recessed until 1:30 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Harbor in the chair.

The House resumed consideration of the Skinner amendment to the Curtis amendment.

Skinner of Polk moved the adoption of his amendment to the Curtis amendment.

A non-record roll call was requested.

The ayes were 35, nays 49.

The amendment to the amendment lost.

Curtis of Cherokee moved the adoption of amendment 1, lines 1 through 14 of his amendment.

Roll call was requested by Freeman of Buena Vista and Curtis of Cherokee.

On the question "Shall amendment 1 of the Curtis amendment be adopted?"

The ayes were, 42:

Anania	Edelen	Hamilton	Moffitt
Andersen	Egenes	Kelly	Nielsen
Camp	Ellsworth	Larson	Nystrom
Campbell	Fisher, C. R.	McCormick	Pellett
Christensen	Freeman	McElroy	Pierson
Curtis	Gluba	Mendenhall	Priebe
Dougherty	Grassley	Millen	Rodgers

Roorda	Strand	Waugh	Winkelman
Schroeder	Strothman	Welden	Wirtz
Small	Tieden	Willits	Mr. Speaker
Sorg	Varley		

The nays were, 52:

Alt	Hill	Logemann	Schwartz
Bennett	Holden	Mayberry	Schwieger
Bergman	Husak	Menefee	Scott
Blouin	Jesse	Middleswart	Shaw
Bray	Johnston	Miller	Siglin
Clark	Kehe	Mollett	Skinner
Cochran	Kennedy	Monroe	Stanley
Den Herder	Kinley	Norpel	Stokes
Dunton	Knoblauch	Patton	Stromer
Ewell	Knoke	Pelton	Trowbridge
Fischer, H. O.	Kruse	Radl	Uban
Franklin	Lawson	Rex	Wells
Hansen	Lipsky	Sargisson	Wyckoff

Absent or not voting, 6:

Doyle	Goode	Schmeiser	Taylor
Drake	Kreamer		

Amendment 1 of the amendment lost.

Curtis of Cherokee moved the adoption of amendment 2, lines 15 and 16 of his amendment.

A non-record roll call was requested.

The ayes were 51, nays 41.

Amendment 2 of the amendment was adopted.

Holden of Scott offered the following amendment filed by him:

Amend Senate File 1008, as amended, passed, and reprinted by the Senate, as follows:

1. Page 4, line 19, by inserting after the word "corporation" the words "in which its principal place of business is located or within the county in which its principal place of business is located or any county contiguous to or cornering upon the county in which its principal place of business is located".

2. Page 4, line 21, by inserting after the period the words "A state bank located in a county having a population over 50,000 and having its principal place of business within a municipal corporation having a population which when combined with the population of the unincorporated area of such county would not exceed 50% of the total population of that county may establish not more than two bank offices within the boundaries of the municipal corporation in which its principal place of business is located or within the unincorporated area of that county."

Holden of Scott offered the following amendment to his amendment and moved its adoption:

Amend the Holden amendment to Senate File 1008 as amended, passed, and reprinted by the Senate, filed February 23, 1972, as follows:

1. Line 5, by inserting after the word "or" the following: ", subject to the limitations of subsection one (1) of this section,".
2. Line 10, by striking the word "A" and inserting in lieu thereof the following: "Subject to the limitations of subsection one (1) of this section, a".

The amendment to the amendment was adopted.

Holden of Scott moved the adoption of his amendment as amended.

The amendment as amended lost.

Mollett of Pottawattamie offered from the floor the following amendment and moved its adoption:

Amend Senate File 1008, as amended and passed by the Senate and reprinted, page 4, by striking from line 27 the word "two" and inserting the word "three".

A non-record roll call was requested.

The ayes were 45, nays 46.

The amendment lost.

Knoke of Pottawattamie offered from the floor the following amendment:

Amend Senate File 1008 as amended and passed by the Senate and reprinted as follows:

1. Page 4, line 23, by striking the word "Iowa".
2. Page 4, line 26, by inserting before the word "having" the following:

"said urban complex where applicable to include contiguous municipal corporations located in states bordering Iowa,".

Fischer of Grundy rose on a point of order that the amendment was not germane.

The Speaker ruled the point not well taken.

Knoke of Pottawattamie moved the adoption of his amendment.

A non-record roll call was requested.

The ayes were 36, nays 54.

The amendment lost.

Fischer of Grundy asked and received unanimous consent to withdraw the amendment filed by him on February 23, 1972, and found on page 695 and 696 of the House Journal.

Freeman of Buena Vista offered the following amendment filed by Freeman, et al.:

Amend Senate File 1008 as amended and passed by the Senate and reprinted, as follows:

1. Page 7A, by striking lines 10 through 20, inclusive.
2. Renumber remaining sections in accordance with this amendment.

Radl of Linn moved that Senate File 1008 be deferred and that the bill retain its place on the calendar.

A non-record roll call was requested.

The ayes were 28, nays 53.

The motion lost.

Egenes of Story offered the following amendment from the floor and moved that it be substituted for the Freeman amendment:

Amend Senate File 1008 as amended and passed by the Senate and reprinted by striking from line 19 on page 7A the word "bank" and inserting in lieu thereof the word "multi-bank".

Roll call was requested by Freeman of Buena Vista and Egenes of Story.

On that question "Shall the Egenes amendment be substituted for the Freeman amendment?"

The ayes were, 34:

Alt	Franklin	McElroy	Skinner
Anania	Gluba	Menefee	Small
Bennett	Hill	Nystrom	Stokes
Bergman	Jesse	Pelton	Stromer
Bray	Kelly	Pierson	Tieden
Clark	Kennedy	Priebe	Trowbridge
Edelen	Kruse	Scott	Uban
Egenes	Larson	Siglin	Mr. Speaker
Fischer, H. O.	Lawson		

The nays were, 55:

Andersen	Christensen	Drake	Freeman
Blouin	Cochran	Dunton	Grassley
Camp	Curtis	Ellsworth	Hamilton
Campbell	Dougherty	Fisher, C. R.	Hansen

Holden	Middleswart	Rex	Strand
Husak	Millen	Rodgers	Strothman
Johnston	Miller	Sargisson	Taylor
Kehe	Moffitt	Schmeiser	Waugh
Kinley	Mollett	Schroeder	Wells
Knoke	Monroe	Schwartz	Willits
Lipsky	Nielsen	Schwieger	Winkelman
Logemann	Norpel	Shaw	Wirtz
Mayberry	Patton	Sorg	Wyckoff
Mendenhall	Pellett	Stanley	

Absent or not voting, 11:

Den Herder	Goode	McCormick	Varley
Doyle	Knoblauch	Radl	Welden
Ewell	Kreamer	Roorda	

The motion lost.

Freeman of Buena Vista moved the adoption of the Freeman, et al., amendment.

Roll call was requested by Egenes of Story and Freeman of Buena Vista.

Rule 70 was invoked.

On the question "Shall the amendment be adopted?"

The ayes were, 45:

Camp	Grassley	Mollett	Small
Campbell	Hansen	Monroe	Sorg
Christensen	Husak	Nielsen	Stanley
Cochran	Johnston	Pellett	Strand
Den Herder	Knoke	Pierson	Strothman
Dougherty	Larson	Priebe	Taylor
Drake	Lipsky	Rex	Uban
Dunton	Logemann	Rodgers	Varley
Ellsworth	Mendenhall	Schmeiser	Willits
Ewell	Millen	Schroeder	Winkelman
Fisher, C. R.	Moffitt	Schwartz	Wyckoff
Freeman			

The nays were, 52:

Alt	Franklin	Mayberry	Scott
Anania	Gluba	McCormick	Shaw
Andersen	Hamilton	McElroy	Siglin
Bennett	Hill	Menefee	Skinner
Bergman	Holden	Middleswart	Stokes
Blouin	Jesse	Miller	Stromer
Bray	Kehe	Norpel	Tieden
Clark	Kelly	Nystrom	Trowbridge
Curtis	Kennedy	Patton	Waugh
Doyle	Kinley	Pelton	Welden
Edelen	Knoblauch	Radl	Wells
Egenes	Kruse	Sargisson	Wirtz
Fischer, H. O.	Lawson	Schwieger	Mr. Speaker

Absent or not voting, 3:

Goode	Kreamer	Roorda
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The amendment lost.

Gluba of Scott offered the following amendment filed by him and Small of Johnson and moved its adoption:

Amend Senate File 1008 as amended and passed by the Senate and reprinted, by adding the following new section:

"Section five hundred twenty-four point five hundred nineteen (524.519), subsection one (1), Code 1971, is amended to read as follows:

524.519 CHANGE OF CONTROL—SHARES AS SECURITY—REPORTS.

1. Whenever [a change occurs in the ownership] *any person proposes to purchase or otherwise acquire directly or indirectly any of the outstanding shares of a state bank [which will], and the proposed purchase or acquisition would result in control or in a change in control of [a state] the bank, the person proposing to purchase or acquire the shares shall first apply in writing to the superintendent for a certificate of approval for the proposed change of control. The superintendent shall grant the certificate if he is satisfied that the person who proposes to obtain control of the bank is qualified by character, experience and financial responsibility to control and operate the bank in a sound and legal manner, and that the interests of the depositors, creditors and shareholders of the bank, and of the public generally, will not be jeopardized by the proposed change of control. If the proposed purchaser or acquirer is a bank holding company as defined by section seven (7) of this Act, it shall comply with section ten (10) of this Act in lieu of seeking a certificate of approval under this subsection. In any situation where he has reason to believe any of the foregoing requirements have not been complied with, it shall be the duty of the president or cashier [shall] of a bank to promptly report in writing such facts to the superintendent upon obtaining knowledge thereof. As used in this section, the term control means the power, directly or indirectly, to elect the board of directors. If there is any doubt as to whether a change in the ownership of the outstanding shares is sufficient to result in control thereof, or to effect a change in the control thereof, such doubt shall be resolved in favor of reporting the facts to the superintendent."*

A non-record roll call was requested.

The ayes were 89, nays 2.

The amendment was adopted.

Fischer of Grundy moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

Under the provisions of Rule 71, Stanley of Linn refrained from voting.

On the question "Shall the bill pass?" (S.F. 1008)

The ayes were, 84:

Alt	Franklin	McCormick	Schroeder
Anania	Freeman	McElroy	Schwartz
Andersen	Grassley	Mendenhall	Schwieger
Bennett	Hamilton	Menefee	Scott
Bergman	Hansen	Middleswart	Shaw
Blouin	Hill	Millen	Siglin
Bray	Holden	Miller	Skinner
Camp	Husak	Moffitt	Sorg
Christensen	Jesse	Mollett	Stokes
Clark	Johnston	Norpel	Strand
Cochran	Kehe	Nystrom	Stromer
Den Herder	Kelly	Patton	Strothman
Dougherty	Kennedy	Pellett	Taylor
Doyle	Kinley	Pelton	Tieden
Drake	Knoblauch	Pierson	Trowbridge
Dunton	Knoke	Priebe	Varley
Edelen	Kruse	Radl	Waugh
Egenes	Larson	Rex	Wells
Ellsworth	Lipsky	Rodgers	Wirtz
Ewell	Logemann	Roorda	Wyckoff
Fischer, H. O.	Mayberry	Sargisson	Mr. Speaker

The nays were, 11:

Campbell	Gluba	Schmeiser	Willits
Curtis	Monroe	Small	Winkelman
Fisher, C. R.	Nielsen	Welden	

Absent or not voting, 5:

Goode	Lawson	Stanley	Uban
Kreamer			

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

Fischer of Grundy moved that the vote by which Senate File 1008 passed the House be reconsidered and the motion to reconsider be tabled.

A non-record roll call was requested.

The ayes were 62, nays 33.

The motion prevailed.

REPORTS OF COMMITTEE

Pelton of Clinton, from the committee on judiciary, submitted the following report:

MR. SPEAKER: Your committee on judiciary, to whom was referred **House File 1205**, a bill for an act relating to motor vehicle accident reports, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same **do pass**.

PELTON of Clinton, Chairman

Also:

MR. SPEAKER: Your committee on judiciary, to whom was referred **Senate File 1019**, a bill for an act making the violation of the Iowa Commercial Feed Law of 1964 a misdemeanor and providing a penalty therefor, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same **do pass**.

PELTON of Clinton, Chairman

Also:

MR. SPEAKER: Your committee on judiciary, to whom was referred **Senate File 1087**, a bill for an act relating to the designation of the general assembly and acts thereof, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same **do pass**.

PELTON of Clinton, Chairman

AMENDMENTS FILED

- 1 Amend the committee on schools amendment to House
- 2 File 291, filed February 22, 1972, line 2720, by
- 3 striking the word "systems" and inserting in lieu
- 4 thereof the word "system".

GRASSLEY of Butler

- 1 Amend House File 291 as follows:
- 2 1. By striking everything after the enacting
- 3 clause and inserting in lieu thereof the following:
- 4 Section 1. SYSTEM ABOLISHED. The county school
- 5 systems and joint county systems established pursuant
- 6 to chapter two hundred seventy-three (273) of the
- 7 Code are abolished on July 1, 1972. Membership on
- 8 county and joint county boards of education and
- 9 employment in county and joint county systems shall
- 10 terminate on July 1, 1972.
- 11 Sec. 2. PROGRAMS AND SERVICES PROVIDED. The
- 12 boards of directors of merged areas established under
- 13 the provisions of chapter two hundred eighty A (280A)
- 14 of the Code, in addition to having the duties,
- 15 responsibilities, and authority stated in chapter
- 16 two hundred eighty A (280A) of the Code, shall also
- 17 have the responsibility of a service agency inter-
- 18 mediate between local school districts and the
- 19 department of public instruction. The merged area
- 20 shall provide to the local public school districts
- 21 within the merged area special education, as provided
- 22 in chapter two hundred eighty-one (281) of the Code,

23 and media centers and to nonpublic schools, locally
24 authorized and state approved shared time programs
25 and programs of shared services, as authorized in
26 section two hundred fifty-seven point twenty-six
27 (257.26) of the Code at least at the level they are
28 provided for the 1971-1972 school year. The merged
29 area may provide:

- 30 1. Auxiliary services.
- 31 2. In-service programs for personnel improvement.
- 32 3. Research programs as approved by the department
33 of public instruction.

34 Sec. 3. ADDITIONAL DUTIES OF MERGED AREA BOARD.

35 In addition to the authority granted the board of
36 directors of each area vocational school or area
37 community college in section two hundred eighty A
38 point twenty-three (280A.23) of the Code, the board
39 in carrying out the provisions of section two (2)
40 of this Act shall:

- 41 1. Determine the policies of the merged area for
42 providing programs and services.
- 43 2. Be authorized to receive and expend money for
44 the purposes and administration of services and
45 programs.
- 46 3. Provide data and prepare reports as directed
47 by the superintendent of public instruction.
- 48 4. Be authorized to cooperate with any public
49 agency in the manner provided in chapter twenty-eight
50 E (28E) of the Code.
- 51 5. Provide for the selection of a merged area
52 coordinating committee as provided in section five
53 (5) of this Act and for advisory committees as deemed
54 necessary.
- 55 6. Coordinate all special education programs and
56 services in the merged area and may provide special
57 education programs and services when recommended by
58 the coordinating committee and approved by the
59 department of public instruction.
- 60 7. Be authorized, subject to rules and regulations
61 of the state board of public instruction, to provide
62 directly or by contractual arrangement with public
63 or private agencies for special education programs
64 and services, including but not limited to, programs
65 and services for the physically, mentally, or
66 educationally handicapped and the emotionally
67 disturbed; special and remedial programs and services;
68 vocational rehabilitation training centers and
69 workshops.
- 70 8. Be authorized to lease, purchase, receive by
71 gift, and operate and maintain such facilities and
72 buildings as deemed necessary to provide authorized
73 programs and services.
- 74 9. Be authorized to make application for, accept,
75 and expend state and federal funds that are available
76 for programs of educational benefit approved by the
77 state board of public instruction, and cooperate with

78 the state board in the manner provided in federal-
79 state plans or state board rules and regulations in
80 the effectuation and administration of programs
81 accepted by the state board, or accepted by other
82 educational agencies, which agencies have been approved
83 as a state educational authority.

84 10. Be authorized to execute contracts for
85 providing services or programs listed in section two
86 (2) of this Act to the local school districts within
87 the merged area, to other educational agencies, and
88 to other public agencies. When a service or program
89 is not provided by the merged area board to all of
90 the local school districts within the merged area,
91 the merged area board shall collect from the individual
92 local school districts served a reasonable cost for
93 the service provided. Other educational agencies
94 and other public agencies shall make reasonable payment
95 for programs and services received. Payment for the
96 costs of special education programs and services shall
97 be as provided in sections seven (7) through eleven
98 (11) of this Act.

99 In addition to the authority provided in section
100 two hundred eighty A point eighteen (280A.18),
101 subsection three (3), of the Code for the receipt
102 and expenditure of tuition, the merged area board
103 is authorized to receive and expend tuition from local
104 school districts of the merged area for instruction
105 received from the merged area by students under twenty-
106 one years of age, if the instruction is provided
107 pursuant to section two hundred eighty A point one
108 (280A.1) of the Code.

109 11. Be authorized to execute contracts with local
110 school districts, other educational agencies, and
111 public and private agencies. The contracts shall
112 provide that the contracting local district or agency
113 shall provide the services for other schools or
114 agencies in lieu of the merged area providing such
115 services. Moneys received by a school district under
116 such contractual arrangements shall not be a part
117 of miscellaneous income as defined in chapter one
118 hundred sixty-five (165), section five (5), Acts of
119 the Sixty-fourth General Assembly, First Session,
120 for purposes of determining state school foundation
121 aid.

122 12. In any county which has a population exceeding
123 one hundred twenty-five thousand persons, upon request
124 of the county board of supervisors and at the expense
125 of the county, provide suitable curriculum, teaching
126 staff, books, supplies, and other necessary materials
127 for the instruction of children of school age who
128 are maintained in the juvenile home of the county,
129 as provided in section two hundred thirty-two point
130 twenty-one (232.21) of the Code.

131 13. Be authorized to request the opinion in writing

132 of the county attorney of any county included in whole
133 or in part within the boundaries of the merged area
134 upon any question of law related to the duties and
135 authority of the merged area board, its officers and
136 employees, or school districts within the merged area
137 and be entitled to receive and rely on the county
138 attorney's opinion in the same manner and to the same
139 extent as in the case of county officers or local
140 school officials. The provisions of this section
141 shall not limit the authority of the merged area board
142 to employ counsel.

143 14. Be authorized to perform all other acts
144 necessary to carry out the provisions and intent of
145 section two (2) of this Act.

146 Sec. 4. MERGED AREA SUPERINTENDENT. Under
147 direction of the board of directors of the merged
148 area, the superintendent of the merged area, shall:

149 1. Cooperate with boards of directors of local
150 school districts of the merged area in considering
151 and developing plans for the improvement of education
152 in the merged area.

153 2. Cooperate with local school districts, their
154 boards, school officers, teachers, parents, and the
155 public generally in promoting an understanding and
156 active interest in desirable types of public education.

157 3. Recommend plans for the establishment and
158 maintenance of such school library services and media
159 centers as are needed for the schools of the merged
160 area, to include delivery of materials.

161 4. When requested, provide such other assistance
162 as possible to school districts of the merged area
163 for the general improvement of their programs and
164 operations.

165 5. Employ a director of special education for
166 elementary and secondary school special education
167 needs who meets the requirements prescribed by the
168 department of public instruction.

169 Sec. 5. COORDINATING COMMITTEE. A merged area
170 coordinating committee, consisting of two persons
171 from each director district of the merged area, shall
172 advise and counsel the administrative personnel and
173 the board of the merged area concerning programs and
174 services provided or coordinated by the merged area
175 to the local school districts within the merged area.

176 The members of the coordinating committee shall be
177 persons interested in special education and the special
178 education needs of the merged area.

179 Each member of the board of directors of the merged
180 area shall hold a meeting within his district to which
181 the members of the local boards of directors shall
182 be invited. The initial meeting shall be held in June
183 1972. Each local board of directors shall cast a
184 single vote for the selection of each of two members
185 of the coordinating committee. If at least fifty
186 percent of the students in a director district are

187 enrolled in a single school district, at least one
188 of the members of the coordinating committee shall
189 represent that school district. Members of the
190 coordinating committee shall serve a term of two years
191 and shall be eligible for reelection except that for
192 the first appointment, one member shall be selected
193 for one year and one member for two years. Vacancies
194 occurring on the coordinating committee shall be
195 filled for the unexpired portion of the term by the
196 remaining members of the coordinating committee from
197 persons residing in the merged area director district
198 in which the vacancy occurred.

199 The coordinating committee shall hold not less
200 than four meetings per year, including at least one
201 meeting with the board of directors of the merged
202 area. The merged area board shall authorize payment
203 of mileage and actual and necessary expenses incurred
204 by members of the coordinating committee in performing
205 their duties from funds available to the merged area
206 board.

207 Sec. 6. DUTIES OF COORDINATING COMMITTEE. The
208 coordinating committee shall:

209 1. Assist in the evaluation of existing programs
210 and services.

211 2. Review programs and services being offered
212 by local districts and the merged area to insure
213 compliance with the provisions of chapter two hundred
214 eighty-one (281) of the Code.

215 3. Recommend new programs and services after
216 consulting with local superintendents and school
217 boards about their special needs.

218 4. Serve as a communication link between the local
219 school districts and the merged area.

220 5. Provide guidance and assistance to the staff
221 of the merged area in long range planning and
222 development.

223 Sec. 7. TRANSFER—AREA SERVICES FUND.

224 1. Before July 1, 1972, each county board of
225 education and joint board of education shall transfer
226 all of its records to the board of directors of the
227 merged area which includes the major portion of the
228 public school enrollment of the county school system
229 or joint county system.

230 2. If a county school system or joint county
231 system is contained entirely within a single merged
232 area, the county board of education or joint board
233 of education shall transfer all assets and liabilities
234 of the county school system or joint county system
235 to the board of directors of that merged area before
236 July 1, 1972. If a county school system or joint
237 county system is contained in part in two or more
238 merged areas, the county board of education or joint
239 board of education shall meet with the board of
240 directors of each of the merged areas which contains
241 part of the county system or joint county system for

242 the purpose of reaching agreement on an equitable
243 division of the assets and liabilities of the county
244 system or joint county system, and shall transfer
245 the assets and liabilities to the board of directors
246 of one or more merged areas, as provided by the
247 agreement, before July 1, 1972. If the boards cannot
248 agree, the matters on which they differ shall be
249 decided by disinterested arbitrators, one selected
250 by each board, and if the number is then even, one
251 selected by the state superintendent of public
252 instruction. The decision of the arbitrators shall
253 be made in writing and filed with the superintendent
254 of public instruction, and any party to the proceedings
255 may appeal to the district court in any of the counties
256 involved, by serving notice on the superintendent
257 of public instruction within twenty days after the
258 decision is filed. The appeal shall be tried in
259 equity and a decree entered determining the entire
260 matter. If the assets and liabilities of any county
261 school system or joint county system cannot be
262 transferred by July 1, 1972, they shall be held in
263 the custody of the superintendent of public instruc-
264 tion, until a decision for division is final. The
265 superintendent of public instruction shall accept
266 income and accrued assets and discharge liabilities
267 as necessary during the interim period.

268 3. After July 1, 1972, each county treasurer shall
269 transfer all moneys collected for taxes previously
270 certified by its county board of education or joint
271 board of education, in accordance with the terms of
272 the decision reached as provided in subsection two
273 (2) of this section, or to the superintendent of
274 public instruction if no decision has been reached.

275 4. The board of directors of each merged area
276 shall establish an area services fund, and shall
277 deposit in the fund all moneys received under the
278 provisions of this section and sections eight (8)
279 through eleven (11) of this Act. During the 1972-
280 1973 school year, the board of directors of each
281 merged area shall, so far as practicable, use the
282 moneys in the area services fund to provide for the
283 services which were formerly provided by county boards
284 of education or joint boards of education and which
285 are also authorized in section two (2) of this Act,
286 and to provide other services authorized by law.

287 5. The board of directors of each merged area
288 shall deposit all moneys received for special education
289 services, regardless of the source of the moneys,
290 in its area services fund, and shall establish separate
291 accounting within the area services fund for all
292 special education receipts and expenditures. A board
293 of directors of a merged area shall not use special
294 education receipts for any services other than special
295 education, shall not transfer moneys received for
296 special education into any other area account or fund,

297 and shall not commingle moneys deposited in the area
298 services fund with any other moneys. As a part of
299 its coordinating function, the board of directors
300 of each merged area shall provide an annual accounting
301 of all moneys allocated to special education and other
302 area services, including all moneys deposited in its
303 area services fund, and all moneys allocated by the
304 local school districts within the area for special
305 education and other area services.

306 Sec. 8. COUNTY LEVY FOR TRANSITION PERIOD. In
307 1972 for collection in 1973, each county board of
308 supervisors shall levy on all taxable property in
309 the county school system or systems located within
310 the county an amount or amounts for the area services
311 fund, as follows:

312 1. If the county had included within its boundary
313 a county school system or portions of systems which
314 certified taxes in 1971 for the budget of the 1972
315 calendar year, the county board of supervisors shall
316 levy on said system or portions of systems such rates
317 of taxes necessary to obtain one-half of the amount
318 which the county board or boards of education would
319 have been entitled to certify for the budget of the
320 1973 calendar year under the provisions of chapter
321 one hundred sixty-five (165), section nine (9),
322 subsection three (3), paragraphs a and b, Acts of
323 the Sixty-fourth General Assembly, First Session.
324 On or before the fifteenth of each month, the county
325 treasurer shall transfer to the board of directors
326 of the appropriate merged area as provided by the
327 agreement or decision reached under section seven
328 (7) of this Act, for deposit in the area services
329 fund, all moneys collected from the tax levy required
330 by this subsection. The board of directors of the
331 merged area shall allocate the moneys received under
332 this subsection to the budget of the six-month period
333 beginning January 1, 1973, and ending June thirtieth,
334 1973.

335 2. If the county school system was part of a joint
336 county system which certified taxes in 1971 for the
337 budget of the 1971-1972 school year, the county board
338 of supervisors shall levy a rate of tax necessary
339 to obtain the same amount which the joint board of
340 education would have been entitled to certify for
341 the budget of the 1972-1973 school year under the
342 provisions of chapter one hundred sixty-five (165),
343 section nine (9), subsection three (3), paragraphs
344 a and b, Acts of the Sixty-fourth General Assembly,
345 First Session. On or before the fifteenth of each
346 month, the county treasurer shall transfer to the
347 board of directors of the appropriate merged area,
348 as provided by the agreement or decision reached under
349 section seven (7) of this Act, for deposit in the
350 area services fund, all moneys collected from the
351 tax levy required by this subsection. The board of

352 directors of the merged area shall allocate the moneys
353 received under this subsection to the budget of the
354 1972-1973 school year.

355 Sec. 9. EXPANDED SPECIAL EDUCATION PROGRAMS.

356 After July 1, 1972, the boards of directors of the
357 merged areas shall assume the duties prescribed for
358 school districts, county boards of education, or joint
359 county boards of education in chapter one hundred
360 sixty-five (165), section twenty-nine (29), Acts of
361 the Sixty-fourth General Assembly, First Session,
362 and the department of public instruction shall make
363 payment to the boards of directors of the merged areas
364 to the same extent and in the same manner as provided
365 in that section for payment to school districts,
366 county boards, and joint county boards.

367 Sec. 10. LOCAL SUPPORT FOR SPECIAL EDUCATION AND
368 OTHER AREA SERVICES.

369 1. Beginning with the 1973-1974 school year and
370 each year thereafter, each local school district shall
371 allocate in its budget an amount for support of special
372 education and for other area services which will be
373 coordinated or provided for local school districts
374 by the merged area, including services and materials
375 furnished to nonpublic schools under the provisions
376 of section two hundred fifty-seven point twenty-six
377 (257.26) of the Code. The local school board shall
378 determine the amount to be allocated by multiplying
379 four percent times the fall enrollment in the district
380 times the state cost per pupil in fall enrollment.
381 As used in this section, "fall enrollment" means the
382 same as provided in chapter one hundred sixty-five
383 (165), section four (4), Acts of the Sixty-fourth
384 General Assembly, First Session, and "state cost"
385 means the same as provided in section eight (8) of
386 that chapter. The local school board shall calculate
387 the amount to be allocated for each ensuing school
388 year in time for inclusion in the tentative budget
389 required to be submitted by December first each year,
390 using the current fall enrollment as reported on each
391 September twenty-fifth.

392 2. The department of public instruction shall
393 review the percentage used in determining local support
394 for special education and other area services during
395 each biennium, and if it determines that the law
396 should be amended by changing the percentage, shall
397 make that recommendation to the general assembly.

398 3. A local school district may increase the
399 percentage of local support it allocates for special
400 education and other area services, as determined under
401 subsections one (1) or two (2) of this section, if
402 the area coordinating committee recommends the
403 increase, and the department of public instruction
404 approves the increase.

405 4. All of the local school districts within a
406 merged area may increase the percentage of local

407 support they allocate for special education and other
408 area services, as determined under subsections one
409 (1) or two (2) of this section, if the area
410 coordinating committee recommends the increase, the
411 department of public instruction approves the increase,
412 and the increase is approved and adopted by at least
413 four-fifths of the local school boards within the
414 merged area.

415 Sec. 11. ALLOCATION OF LOCAL SUPPORT. Each local
416 school board shall place three-fourths of its total
417 allocation for local support as determined in section
418 ten (10) of this Act, in a special education support
419 fund to be used only for support of special education,
420 and shall pay the remaining one-fourth to the board
421 of directors of its merged area for support of other
422 area services provided by the merged area. The local
423 school board shall make payment to the board of
424 directors of the merged area in four approximately
425 equal installments not later than July 15, October
426 15, January 15, and April 15 of each school year.
427 A local school board shall not use moneys allocated
428 for special education for any other purpose, and shall
429 not transfer moneys allocated for special education
430 into any other local account or fund. Balances
431 remaining in the local special education support fund
432 beyond the costs allowed in the contractual agreement
433 between the local district and the merged area board
434 shall be paid by the local district to the merged
435 area board for the support of other approved area
436 special education.

437 Sec. 12. ADJUSTMENT OF DISTRICT BUDGETS.

438 1. For the 1973-1974 school year, each local
439 school board shall determine the difference between
440 the amount allocated in its budget for the 1972-1973
441 school year for support of special education,
442 regardless of the source of the services, and for
443 support of the other services which will be provided
444 by the merged area, and the amount it is required
445 to allocate for the 1973-1974 school year for special
446 education and other area services as provided by
447 section eleven (11) of this Act.

448 2. If the amount a local school district is
449 required to allocate for special education and other
450 area services for the 1973-1974 school year exceeds
451 the amount it allocated for the 1972-1973 school year,
452 the local district may add the excess amount to its
453 general fund budget. If the addition of the excess
454 amount causes a school district to exceed its maximum
455 district cost or its maximum millage as determined
456 under chapter one hundred sixty-five (165), sections
457 nine (9) and ten (10), Acts of the Sixty-fourth General
458 Assembly, First Session, the district shall submit
459 its budget to the division of special education in
460 the department of public instruction. If the division
461 is satisfied that the local district has correctly

462 determined the excess amount required, it shall certify
463 that fact and submit the budget to the school budget
464 review committee, which shall authorize for that
465 district an increase in either its maximum district
466 cost, its maximum millage, or both, as necessary to
467 meet the excess required expenditure, unless it
468 determines that, because of decreased enrollments
469 or other reasons, a part or all of the requested
470 increase is not required by the local school district
471 in order to maintain its general educational program
472 at a level equivalent to that maintained in the 1972-
473 1973 school year.

474 3. If a local school district received state aid
475 for special education during the 1971-1972 school
476 year under the provisions of section two hundred
477 eighty-one point nine (281.9) of the Code, the board
478 of directors of the appropriate merged area shall
479 be paid the same amount of state aid for special
480 education on behalf of that school district during
481 the 1972-1973 school year, and the same amount shall
482 be included in the budget of the local school district
483 for the 1972-1973 school year, and included as
484 miscellaneous income of that school district for the
485 1972-1973 school year for purposes of all computations
486 required under chapter one hundred sixty-five (165),
487 Acts of the Sixty-fourth General Assembly, First
488 Session, whether or not the amount is actually paid
489 to the local school district by the board of directors
490 of the merged area.

491 4. If the amount a local school district is
492 required to allocate for special education and other
493 area services for the 1973-1974 school year is less
494 than the amount it allocated for the 1972-1973 school
495 year, it shall submit its budget to the school budget
496 review committee. The school budget review committee
497 shall require the district to reduce its maximum
498 district cost by the amount which the special education
499 and other area services allocation is reduced, unless
500 the budget review committee determines that because
501 of increased enrollments or other reasons a part or
502 all of the amount is required by the local school
503 district in order to maintain its general educational
504 program at a level equivalent to that maintained in
505 the 1972-1973 school year.

506 5. If the school budget review committee authorizes
507 a district to increase or decrease its maximum district
508 cost or increase its maximum millage as provided in
509 this section, the increased or decreased amount shall
510 become the district's maximum district cost or maximum
511 millage for the 1973-1974 school year for purposes
512 of all computations required under chapter one hundred
513 sixty-five (165), Acts of the Sixty-fourth General
514 Assembly, First Session, except that the maximum
515 millage reduction provided for in section twenty-one
516 (21) of that chapter shall be computed without regard

517 to any increase or decrease in maximum budget
518 authorized under this section.

519 Sec. 13. Section eleven point eighteen (11.18),
520 unnumbered paragraph two (2), is amended to read as
521 follows:

522 Any township or municipal corporation not embraced
523 within the foregoing provisions of this chapter [and
524 any school corporation in which an annual examination
525 is not required] may, on application to the auditor
526 of state, secure an examination of its financial
527 transactions and condition of its funds, or a like
528 examination shall be had on application of one hundred
529 or more taxpayers, or if there are fewer than five
530 hundred taxpayers, then by five percent thereof.
531 [The examination in any such school district may be
532 had upon the written request of the county
533 superintendent of schools.] In lieu of such examination
534 by state accountants, the local governing body may
535 contract with, or employ, certified or registered
536 public accountants and pay the same from the proper
537 public funds.

538 Sec. 14. Section sixteen point eighteen (16.18),
539 Code 1971, is amended to read as follows:

540 16.18 COUNTY SUPERINTENDENTS. The official
541 register shall be distributed, in addition to the
542 foregoing provisions, to the school libraries[, through
543 the county superintendent of schools to whom they
544 shall be sent in bulk, and who shall direct their
545 distribution each in his own county].

546 Sec. 15. Section sixteen point twenty-four (16.24),
547 subsection sixteen (16), Code 1971, is amended to
548 read as follows:

549 16. To the clerk of the district court, the county
550 attorney, the county auditor, the county recorder,
551 county assessor, the county treasurer, the sheriff,
552 and the [county superintendent of each county]
553 *superintendent of each merged area* in the state, to
554 the clerk of each superior or municipal court in the
555 state, and also for use in each court room of the
556 district, superior, or municipal

557 court..... 1
558 copy

559 Sec. 16. Section forty-four point seven (44.7),
560 Code 1971, is amended to read as follows:

561 44.7 HEARING BEFORE COUNTY AUDITOR. Objections
562 filed with the county auditor shall be considered
563 by the county auditor, clerk of the district court,
564 and county attorney, and a majority decision shall
565 be final; but if the objection is to the certificate
566 of nomination of one or more of the above named county
567 officers, said officer or officers so objected to
568 shall not pass upon such objection, but their places
569 shall be filled, respectively, by the county treasurer[,]
570 *and the sheriff[, and county superintendent].*

571 Sec. 17. Section sixty-four point eight (64.8),

572 Code 1971, is amended to read as follows:

573 64.8 COUNTY OFFICERS. The bonds of the following
574 county officers, viz.: Clerks of the district courts,
575 county attorneys, recorders, auditors, [superintendents
576 of schools,] sheriffs, justices of the peace, and
577 constables, and assessors shall each be in a penal
578 sum to be fixed by the board of supervisors.

579 Sec. 18. Section eighty-five point two (85.2),
580 Code 1971, as amended by chapter one hundred eight
581 (108), section two (2), Acts of the Sixty-fourth
582 General Assembly, First Session, is further amended
583 to read as follows:

584 85.2 COMPULSORY WHEN. Where the state, county,
585 municipal corporation, school corporation, [county
586 board of education,] or city under any form of
587 government is the employer, the provisions of this
588 chapter for the payment of compensation and amount
589 thereof for an injury sustained by an employee of
590 such employer shall be exclusive, compulsory, and
591 obligatory upon both employer and employee, except
592 as otherwise provided in section 85.1. For the
593 purposes of this chapter elected and appointed
594 officials shall be employees.

595 Sec. 19. Section eighty-five point sixty-one
596 (85.61), subsections one (1) and two (2), Code 1971,
597 are amended to read as follows:

598 1. "Employer" includes and applies to any person,
599 firm, association, or corporation, state, county,
600 municipal corporation, school corporation, [county
601 board of education,] and the legal representatives
602 of a deceased employer.

603 2. "Workman" or "employee" means a person who
604 has entered into the employment of, or works under
605 contract of service, express or implied, or
606 apprenticeship, for an employer, every executive
607 officer elected or appointed and empowered under and
608 in accordance with the charter and bylaws of a
609 corporation, including a person holding an official
610 position, or standing in a representative capacity
611 of the employer, and including officials elected or
612 appointed by the state, counties, school districts,
613 [county boards of education] *merged areas*, municipal
614 corporations, or cities under any form of government,
615 and including members of the Iowa highway safety
616 patrol and conservation officers, except as herein-
617 after specified.

618 Sec. 20. Section one hundred forty-three point
619 one (143.1), Code 1971, is amended to read as follows:

620 143.1 AUTHORITY TO EMPLOY. Any local board of
621 health, [the county board of education of any county,]
622 or the school board of any school district may employ
623 public health nurses at such periods each year and
624 in such numbers as may be deemed advisable. The board
625 of supervisors of any county, the council of any city
626 or town, or the school board of any school district,

627 or any of them acting in co-operation, may contract
628 with any nonprofit nurses' association for public
629 health nursing service. The compensation and expenses
630 thereof shall be paid out of the general fund of the
631 political subdivision employing said nurses.

632 Sec. 21. Section two hundred fifty-seven point
633 eleven (257.11), subsections eleven (11), twelve (12),
634 and twenty-one (21) are amended to read as follows:

635 11. Prepare for the approval of the state board,
636 such forms and procedures as are deemed necessary
637 to be used by [county boards] *merged area boards*,
638 district boards, school officials, principals,
639 teachers, and other employees, and to insure
640 uniformity, accuracy, and efficiency in keeping records
641 in both pupil and cost accounting, the execution of
642 contracts, the preparation of budgets, and the
643 submission of reports; furnish, when deemed advisable
644 by him and approved by the state board, those forms
645 which can more economically and efficiently be provided
646 in that manner; and notify the [county board] *merged*
647 *area board*, or district board, or school authorities,
648 in any case when any report has not been filed in
649 the manner or on the dates prescribed by law or by
650 regulation of the state board that the school be not
651 approved until the report has been properly filed.

652 12. Ascertain by inspection, supervision, or
653 otherwise, the condition, needs, and progress of the
654 schools under the supervision of his department and
655 make recommendations to the proper authorities for
656 the correction of deficiencies and the educational
657 and physical improvement of such schools, and recommend
658 to the state board the need for a state audit of the
659 accounts of any school district, [county school system]
660 *merged area*, school official, or any school employee
661 handling school funds when it is apparent that such
662 audit should be made. If deemed advisable the state
663 board may call upon the state auditor to make such
664 an audit and he shall proceed to do so as soon as
665 practicable.

666 21. Cause to be printed in book form, during the
667 months of June and July in the year 1955 and every
668 four years thereafter, if deemed necessary, all school
669 laws then in force with such forms, rulings, and
670 decisions, and such notes and suggestions as may aid
671 school officers in the proper discharge of their
672 duties. A sufficient number shall be furnished to
673 [the county superintendent of each county to supply
674 therein] school officers, directors, superintendents,
675 and others in such numbers as may be reasonably
676 requested.

677 Sec. 22. Section two hundred fifty-seven point
678 twenty-five (257.25), subsection twelve (12), Code
679 1971, is amended to read as follows:

680 12. The state board of public instruction shall
681 remove for cause, after due investigation and notice,

682 any such school, college, or school district failing
683 to comply with such approval standards, rules, and
684 regulations from the approved list; which removal
685 shall, during the period of noncompliance, permit
686 parents of children eligible for school attendance
687 to request the [county board of education] *state depart-*
688 *ment of public instruction* to designate their children
689 to an approved school with the district of residence
690 responsible for the tuition and transportation costs.
691 The [county board of education] *state department of*
692 *public instruction* is [hereby] authorized to make such
693 designation. Procedure, insofar as applicable, shall
694 be that provided in chapter 285. [In the event a
695 parent of such child so designated is dissatisfied
696 with said designation, appeal may be made to the state
697 superintendent of public instruction as provided in
698 section 285.12.] A school, college, or school district
699 which is removed from the approved list in accordance
700 with this section shall be ineligible to receive state
701 financial aid during the period of noncompliance.
702 The state board shall allow a reasonable period of
703 time, which shall be at least one year, for compliance
704 with such approval standards, rules, and regulations,
705 if such school, college, or school district is making
706 a good faith effort and substantial progress toward
707 full compliance and if the failure to comply is due
708 to factors beyond the control of the board of directors
709 or governing body of such school, college, or school
710 district. In allowing such time for compliance, the
711 board shall follow consistent policies, taking into
712 account the circumstances of each case. The reasonable
713 period of time for compliance may be, but need not
714 be, given prior to the one-year notice requirement
715 that is required under subsection 13 of this section.
716 Sec. 23. Section two hundred fifty-seven point
717 twenty-six (257.26), unnumbered paragraph two (2),
718 Code 1971, is amended to read as follows:
719 The provisions of this section shall not deprive
720 the respective boards of public school districts of
721 any of their legal powers, statutory or otherwise,
722 and in accepting such specially enrolled students,
723 each of said boards shall prescribe the terms of such
724 special enrollment, including but not limited to
725 scheduling of such courses and the length of class
726 periods. In addition, the board of the affected
727 public school district shall be given notice by the
728 state board of its decision to permit such special
729 enrollment not later than six months prior to the
730 opening of the affected public school district's
731 school year, except that the board of the public
732 school district may, in its discretion, waive such
733 notice requirement. School districts and [county
734 school systems] *educational service units* may when
735 available make special education services and materials
736 enumerated in this chapter available to pupils

737 attending nonpublic schools in the same manner and
 738 to the same extent that they are provided to public
 739 school students in the school district or [county]
 740 *educational service district.*

741 Sec. 24. Section two hundred sixty point nine
 742 (260.9), subsection one (1), Code 1971, is amended
 743 to read as follows:

744 1. SUPERINTENDENT'S CERTIFICATE. The
 745 superintendent's certificate shall be issued to an
 746 applicant who has met the requirements for an advanced
 747 elementary certificate or an advanced or a standard
 748 secondary certificate and who has in addition such
 749 other qualifications with reference to special training
 750 and experience as the board of educational examiners
 751 shall from time to time prescribe. It shall be valid
 752 for service [as county superintendent, or] as
 753 superintendent, principal, or teacher in any elementary
 754 or secondary school.

755 Sec. 25. Section two hundred sixty point twenty-
 756 three (260.23), Code 1971, is amended to read as
 757 follows:

758 260.23 REVOCATION BY BOARD. Any [diploma or]
 759 certificate issued by the board may be suspended or
 760 revoked by it for any cause which would have authorized
 761 or required a refusal to grant the same, and the
 762 holder shall have ten days' notice by registered mail
 763 and be allowed to be present and make defense.

764 Sec. 26. Section two hundred sixty point twenty-
 765 four (260.24), Code 1971, is amended to read as
 766 follows:

767 260.24 REVOCATION BY [COUNTY] SUPERINTENDENT
 OF

768 *PUBLIC INSTRUCTION.* When in the judgment of the
 769 [county] superintendent of *public instruction* there
 770 is probable cause for the revocation of a certificate
 771 [or diploma] held by any teacher employed in [his county]
 772 *the state*, or when complaint is filed, supported by
 773 affidavits, charging incompetency, immorality,
 774 intemperance, cruelty, or general neglect of the
 775 business of the school, the [county] superintendent
 776 of *public instruction* shall within ten days transmit
 777 to such person a written statement of the charges
 778 preferred and set the time, not less than ten days
 779 thereafter, and place for the hearing of the same
 780 at which trial the teacher may be present and make
 781 defense.

782 Sec. 27. Section two hundred sixty point twenty-
 783 five (260.25), Code 1971, is amended to read as
 784 follows:

785 260.25 TRIAL—ORDER. The trial and making and
 786 preservation of the record shall be, so far as
 787 applicable, in conformity with the provisions of the
 788 law relating to the trial of civil actions in the
 789 district court. If upon the trial it appears to the
 790 [county] superintendent of *public instruction* that there

791 is sufficient ground for the revocation of the [diploma
792 or] certificate, he shall at once issue in [triplicate]
793 duplicate an order revoking the [diploma or] certificate,
794 and the same shall become effective, unless an appeal
795 is taken, fifteen days thereafter. One copy of the
796 order shall be filed and recorded in his office[, one
797 mailed to the superintendent of public instruction,]
798 and the other sent by registered mail to the holder
799 of the certificate.

800 Sec. 28. Section two hundred sixty point twenty-
801 six (260.26), Code 1971, is amended to read as follows:
802 260.26 [APPEAL] REVOCATION. [The person aggrieved
803 by such order shall have the right of appeal to the
804 superintendent of public instruction within ten days
805 from the date of such mailing, and in case of appeal
806 the revocation shall not be effective until the same
807 is affirmed, after full hearing, by the superintendent
808 of public instruction.] In the case of life state
809 certifies the revocation shall not be effective
810 until affirmed by the board of educational examiners
811 after full hearing and review by said board.

812 Sec. 29. Section two hundred sixty-two point
813 thirty-two (262.32), Code 1971, is amended to read
814 as follows:

815 262.32 CONTRACT—TIME LIMIT. Such contracts shall
816 be in writing and shall extend over a period of not
817 to exceed two years, and a copy thereof shall be filed
818 [in the office of the superintendent of schools of
819 the county] *with the state department.*

820 Sec. 30. Section two hundred seventy-four point
821 four (274.4), Code 1971, is amended to read as follows:

822 274.4 RECORD OF REORGANIZATION FILED. When an
823 election on the proposition of organizing,
824 reorganizing, enlarging, or changing the boundaries
825 of any school corporation carries by the required
826 statutory margin [or any area of less than four sections
827 is attached to any school corporation by order of
828 a county board of education], or the boundary lines
829 of contiguous school corporations are changed by the
830 concurrent action of the respective boards of
831 directors, [the county superintendent, or] the secretary
832 of said school corporation, shall file a written
833 description of the new boundaries of the school
834 corporation in the office of the county auditor of
835 each county in which any portion of the school corpora-
836 tion lies.

837 Sec. 31. Section two hundred seventy-four point
838 seven (274.7), unnumbered paragraph two (2), Code
839 1971, is amended to read as follows:

840 The terms of office of the directors of a [county
841 or merged county school system that contains a
842 population of two hundred fifty thousand, or more,
843 and a] school corporation which contains a city with
844 a population of two hundred thousand, or more, shall

845 be four years. The election for such office shall
846 be as prescribed by law in each odd-numbered year.
847 A board of five members shall have three members
848 elected at one election and two at the next election.
849 A board of seven members shall have four members
850 elected at one election and three at the next election.
851 If, upon the expiration of normal terms, there is
852 elected more than the number prescribed at any
853 election, those elected shall select by lot the length
854 of their terms, some for four years and some for two
855 years, so that the proper number of directors will
856 be elected at the next election and each subsequent
857 election thereafter.

858 Sec. 32. Section two hundred seventy-four point
859 thirteen (274.13), Code 1971, is amended to read as
860 follows:

861 274.13 ATTACHING TERRITORY TO ADJOINING
862 CORPORATION. In any case where, by reason of natural
863 obstacles, any portion of the inhabitants of any
864 school corporation in the opinion of the [county]
865 superintendent of *public instruction* cannot with
866 reasonable facility attend school in their own
867 corporation, he shall, by a written order, in
868 duplicate, attach the part thus affected to an
869 adjoining school corporation, the board of the same
870 consenting thereto, one copy of which order shall
871 be at once transmitted to the secretary of each
872 corporation affected thereby, who shall record the
873 same and make the proper designation on the plat of
874 the corporation. Township or county lines shall not
875 be a bar to the operation of this section.

876 Sec. 33. Section two hundred seventy-four point
877 fourteen (274.14), Code 1971, is amended to read as
878 follows:

879 274.14 RESTORATION. When the natural obstacles
880 by reason of which territory has been set off by the
881 [county] superintendent of *public instruction* from one
882 school district and attached to another in the same
883 or an adjoining county, as provided in section 274.13,
884 have been removed, such territory may, upon the
885 concurrence of the respective boards, be restored
886 to the school district from which set off and shall
887 be so restored by said boards upon the written
888 application of two-thirds of the electors residing
889 upon the territory so set off together with the
890 concurrence of the [county] superintendent of *public*
891 *instruction* and the board of the school district from
892 which such territory was originally set off by the
893 [county] superintendent of *public instruction*.

894 Sec. 34. Section two hundred seventy-four point
895 thirty-seven (274.37), unnumbered paragraph one (1),
896 Code 1971, is amended to read as follows:

897 The boundary lines of contiguous school corporations
898 may be changed by the concurrent action of the
899 respective boards of directors at their regular

900 meetings in July, or at special meetings called for
901 that purpose. Such concurrent action shall be subject
902 to the approval of the [county] *state* board [or boards
903 of education involved] of *public instruction* but such
904 concurrent action shall stand approved if the [county]
905 *state* board [or boards of education do] *does* not disap-
906 prove such concurrent action within thirty days
907 following receipt of notice thereof. The corporation
908 from which territory is detached shall, after the
909 change, contain not less than four government sections
910 of land.

911 Sec. 35. Section two hundred seventy-four point
912 forty (274.40), Code 1971, is amended to read as
913 follows:

914 274.40 VESTING OF POWERS TO CONVEY. Whenever
915 a majority of the directors of any school district
916 affected as in section 274.39 have moved from such
917 district and have ceased to be residents thereof
918 thereby creating vacancies on the school board and
919 reducing it to less than a quorum, the powers vested
920 by said section in the board of directors shall vest
921 in the [county] *state* board of [education] *public*
922 *instruction* and the instrument of conveyance shall
923 be executed on behalf of such school district by the
924 chairman of the [county] *state* board of [education] *public*
925 *instruction until an election is called pursuant to*
926 *chapter 277.*

927 Sec. 36. Section two hundred seventy-five point
928 one (275.1), Code 1971, is amended by striking the
929 section and inserting in lieu thereof the following:

930 275.1 DECLARATION OF POLICY—SURVEYS. It is
931 declared to be the policy of the state to encourage
932 the reorganization of school districts into such units
933 as are necessary, economical and efficient and which
934 will insure an equal opportunity to all children of
935 the state. All area of the state shall be in a school
936 district maintaining twelve grades.

937 Sec. 37. Section two hundred seventy-five point
938 five (275.5), Code 1971, is amended to read as follows:

939 275.5 TENTATIVE PLANS. [Pending completion of
940 the final plans provided for in sections 275.1 to
941 275.4 hereof, the county board of education shall
942 prepare and approve tentative plans for reorganization
943 of school districts within the county after
944 consultation with the boards of the various districts
945 in the county and the state department of public
946 instruction. Within ten days after the county board
947 has approved their tentative plan they shall file
948 such plan with the state department of public
949 instruction.] Any proposal for merger, consolidation
950 or boundary change of *local school districts* shall
951 first be submitted to the [county] *state* board of
952 [education] *public instruction* for approval before being
953 submitted at an election. [The county board of
954 education shall adopt and file a tentative county

955 plan with the state department of public instruction
956 no later than sixty days after a proposal for merger
957 or consolidation has been presented to them for their
958 approval under this section.] Such proposals may
959 provide for reducing an existing school district to
960 less than four government sections and where such
961 proposal is put into effect by election by the method
962 hereinafter provided the [county] *state* board shall
963 by resolution attach or subdivide and attach the
964 remaining portion or portions of said district to
965 another school district or districts.

966 Sec. 38. Section two hundred seventy-five point
967 six (275.6), Code 1971, is amended to read as follows:
968 275.6 PROGRESSIVE PROGRAM. It is the intent of
969 this chapter that the [county] *state* board shall carry
970 on the program of reorganization progressively and
971 shall, insofar as is possible, authorize submission
972 of proposals to the electors as they are developed
973 and approved.

974 Sec. 39. Section two hundred seventy-five point
975 seven (275.7), Code 1971, is amended by striking the
976 section and inserting in lieu thereof the following:
977 275.7 BUDGET. The cost to a school district in
978 conducting reorganization work shall be assessed to
979 each local school district in an amount determined
980 by the state board of public instruction.

981 Sec. 40. Section two hundred seventy-five point
982 eleven (275.11), Code 1971, is amended to read as
983 follows:

984 275.11 PROPOSALS INVOLVING TWO OR MORE DISTRICTS.
985 [Subject to the approval of the county board of
986 education contiguous] *Contiguous* territory located
987 in two or more school districts may be united into
988 a single district in the manner provided in sections
989 275.12 to 275.23 hereof.

990 Sec. 41. Section two hundred seventy-five point
991 twelve (275.12), subsections one (1) and four (4),
992 Code 1971, are amended to read as follows:

993 1. A petition describing the boundaries, or
994 accurately describing the area included therein by
995 legal descriptions, of the proposed district[, which
996 boundaries or area described shall conform to county
997 plan or the petition shall request change of the
998 county plan,] shall be filed with the superintendent
999 of [schools of the county in which the greatest number
1000 of electors reside] *public instruction*. Such petition
1001 shall be signed by voters in each existing school
1002 district affected or portion thereof equal in number
1003 to at least twenty percent of the number of eligible
1004 voters or four hundred voters, whichever is the smaller
1005 number. School districts affected or portion thereof
1006 shall be defined to mean that area to be included
1007 in the plan of the proposed new school district.

1008 4. The [county board or boards of education] *superin-*
1009 *tendent of public instruction* in reviewing such

1010 petition as provided in [sections] *section 275.15* [and
 1011 275.16] shall review the proposed method of election
 1012 of school directors and shall have the duty and
 1013 authority to change [or amend such plan in any manner,
 1014 including the changing of] *the boundaries of director*
 1015 *districts if proposed, or to specify a different*
 1016 *method of electing school directors on the basis*
 1017 *of area, school population, or assessed valuation*
 1018 *as may be required by law, justice, equity, and the*
 1019 *interest of the people. In such action the [county*
 1020 *board or boards] superintendent of public instruction*
 1021 *shall follow the same procedure as is required by*
 1022 *[sections] section 275.15 [and 275.16] for other action*
 1023 *on the petition by the [county board or boards]*
 1024 *superintendent of public instruction.*

1025 Sec. 42. Section two hundred seventy-five point
 1026 fourteen (275.14), Code 1971, is amended to read as
 1027 follows:

1028 275.14 OBJECTION—TIME OF FILING—NOTICE. Within
 1029 ten days after the petition is filed, the [county]
 1030 superintendent of public instruction shall fix a final
 1031 date for filing objections to the petition in the
 1032 office of the [county] superintendent of public
 1033 instruction, and give notice for at least ten days,
 1034 by one publication in a newspaper published within
 1035 the territory described in the petition, or if none
 1036 is published therein, in a newspaper published in
 1037 the county where the petition is filed, and of general
 1038 circulation in the territory described. *The cost*
 1039 *of publication shall be assessed to each district*
 1040 *whose territory is involved in the ratio that the*
 1041 *number of pupils in fall enrollment in each district*
 1042 *bears to the total number of pupils in fall enrollment*
 1043 *in the total area involved. Objections shall be in*
 1044 *writing in the form of an affidavit and may be made*
 1045 *by any person residing or owning land within the*
 1046 *territory described in the petition, or who would*
 1047 *be injuriously affected by the change petitioned for*
 1048 *and shall be on file not later than twelve o'clock*
 1049 *noon of the final day fixed for filing objections.*

1050 Sec. 43. Section two hundred seventy-five point
 1051 fifteen (275.15), Code 1971, is amended to read as
 1052 follows:

1053 275.15 HEARING—DECISION—PUBLICATION OF ORDER.
 1054 On the final day fixed for filing objections,
 1055 interested parties may present evidence and arguments,
 1056 and the [county board of education] superintendent of
 1057 public instruction shall review the matter on its
 1058 merits and within five days after the conclusion of
 1059 any hearing, shall rule on the objections and shall
 1060 enter an order fixing such boundaries for the proposed
 1061 school corporation as will in its judgment be for
 1062 the best interests of all parties concerned, having
 1063 due regard for the welfare of adjoining districts
 1064 or dismiss the petition. The [county] superintendent

1065 *of public instruction* shall at once publish this order
1066 in the same newspaper in which the original notice
1067 was published [and file any amendments to the county
1068 plan in the same manner as hereinabove provided for
1069 the original or tentative county plan]. Within twenty
1070 days after the publication thereof the decision
1071 rendered by the [county board of education]
1072 *superintendent of public instruction* may be appealed
1073 to [a court of record] *the district court* in the county
1074 involved by any school district affected.

1075 Sec. 44. Section two hundred seventy-five point
1076 eighteen (275.18), Code 1971, is amended to read as
1077 follows:

1078 275.18 SPECIAL ELECTION CALLED—TIME. When the
1079 boundaries of the territory to be included in a
1080 proposed school corporation and the number and method
1081 of the election of the school directors of such
1082 proposed school corporation have been determined as
1083 herein provided, the [county superintendent with whom
1084 such petition is filed] *superintendent of public in-*
1085 *struction* shall call a special election in such
1086 proposed school corporation within thirty days from
1087 the date of the final determination of such boundaries,
1088 by giving notice by one publication in the same
1089 newspaper as previous notices concerning it have been
1090 published, and in addition thereto, if more than one
1091 county is involved, by one publication in a legal
1092 newspaper in each county other than that of the first
1093 publication, which publication shall be not less than
1094 ten nor more than fifteen days prior to the election.
1095 In the case of [joint] districts *located in more than*
1096 *one county*, no notice for an election shall be
1097 published until the time for appeal, which shall be
1098 the same as that provided in section 285.12, has
1099 expired; and in the event of an appeal, not until
1100 the same has been disposed of.

1101 Sec. 45. Section two hundred seventy-five point
1102 nineteen (275.19), Code 1971, is amended to read as
1103 follows:

1104 275.19 JUDGES OF ELECTION. The [county
1105 superintendent] *boards of directors of the school*
1106 *districts affected* shall appoint the judges of such
1107 election and such judges shall be qualified electors
1108 of the territory of the proposed school corporation
1109 as determined by the [county superintendent or board
1110 of education] *boards of directors*, and they shall
1111 serve without pay. If any judge fails to appear at
1112 the proper time, his place shall be filled by the
1113 judge or judges present, or if no judge appears, any
1114 three qualified electors may organize the election
1115 board.

1116 Sec. 46. Section two hundred seventy-five point
1117 twenty-three (275.23), Code 1971, is amended to read
1118 as follows:

1119 275.23 CANVASS AND RETURN. The judges of election

1120 shall count the ballots, make return to and deposit
1121 the ballots with the [county superintendent] *secretary*
1122 *of the board of directors of the school district with*
1123 *the largest number of pupils*, who shall enter the
1124 return of record [in his office]. If the majority of
1125 the votes cast by the qualified electors are in favor
1126 of the proposition, as provided in section 275.20,
1127 a new school corporation shall be organized. The
1128 [county superintendent] *secretary of the board of*
1129 *directors of the school district with the largest*
1130 *number of pupils* shall file a written description
1131 of the boundaries as provided in section 274.4.

1132 Sec. 47. Section two hundred seventy-five point
1133 twenty-five (275.25), unnumbered paragraph one (1),
1134 Code 1971, is amended to read as follows:

1135 If the proposition to establish a new corporation
1136 carries under the method hereinabove provided a special
1137 election shall be called by the [county superintendent]
1138 *president of the board of directors of the school*
1139 *district with the largest number of pupils* by giving
1140 notice by one publication in the same newspaper in
1141 which the former notices were published and he shall
1142 appoint judges who shall serve without pay. At such
1143 election, two directors shall be elected to serve
1144 until the next regular election, two until the second,
1145 and one until the third regular election thereafter,
1146 except in districts which include all or part of a
1147 city of fifteen thousand or more population and in
1148 districts in which the proposition to establish a
1149 new corporation provides for seven directors, three
1150 directors shall be elected to serve until the third
1151 regular election thereafter, all of whom to serve
1152 until such time as their successors are elected and
1153 qualified. Provided, however, that in all community
1154 school districts which include a city of fifteen
1155 thousand or more population and which became effective
1156 prior to July 4, 1955, and in all community school
1157 districts containing a city which has attained a
1158 population of fifteen thousand or more as shown by
1159 the most recent decennial federal census, the board
1160 of directors shall consist of seven members. Where
1161 it becomes necessary to increase the membership of
1162 any such board under the provisions hereof, two direc-
1163 tors shall be added according to the procedure
1164 described in section 277.23. The judges of election
1165 shall make return to the [county superintendent]
1166 *president of the board of directors of the school*
1167 *district with the largest number of pupils* who shall
1168 enter the return of record [in his office] and notify
1169 the persons who are elected directors. The new board
1170 shall organize within fifteen days following their
1171 election [upon call of the county superintendent].
1172 The new board of directors shall have complete control
1173 of the employment of all personnel for the newly
1174 formed community school district for the ensuing

1175 school year. Following the organization of the new
1176 board they shall have authority to establish policy,
1177 organize curriculum, enter into contracts and complete
1178 such other planning and take such action as is
1179 essential for the efficient management of the newly
1180 formed community school district.

1181 Sec. 48. Section two hundred seventy-five point
1182 twenty-six (275.26), Code 1971, is amended by striking
1183 the section and inserting in lieu thereof the
1184 following:

1185 275.26 PAYMENT OF EXPENSES. A district which
1186 is established or changes its boundaries shall pay
1187 all expenses incurred in connection with the
1188 proceedings, including the election of the first board
1189 of directors. If the proposal fails, the districts
1190 whose territory is involved shall pay all expenses
1191 in the manner determined by the state department.

1192 Sec. 49. Section two hundred seventy-five point
1193 twenty-seven (275.27), Code 1971, is amended to read
1194 as follows:

1195 275.27 NAMES. School districts created or enlarged
1196 under the provisions of this chapter shall be known
1197 as community school districts [and shall be part of
1198 the county school system of the county in which the
1199 greatest number of electors of said district reside
1200 at the time of the special election called for in
1201 section 275.18, and this provision pertaining to
1202 greatest number of electors shall be in full force
1203 and effect any statute to the contrary notwithstanding],
1204 and all provisions of the law applicable to the common
1205 schools generally shall be applicable to such districts
1206 in addition to the powers and privileges conferred
1207 by this chapter.

1208 Sec. 50. Section two hundred seventy-five point
1209 thirty (275.30), Code 1971, is amended to read as
1210 follows:

1211 275.30 ARBITRATION. If the boards cannot agree
1212 on such division and distribution, the matters on
1213 which they differ shall be decided by disinterested
1214 arbitrators, one selected by each board having an
1215 interest therein, and if the number thus selected
1216 is even, then one shall be added by the [county]
1217 superintendent of *public instruction*. The decision
1218 of the arbitrators shall be made in writing and filed
1219 with the secretary of the new corporation, and any
1220 party to the proceedings may appeal therefrom to the
1221 district court by serving notice thereof on such
1222 secretary within twenty days after the decision is
1223 filed. Such appeal shall be tried in equity and a
1224 decree entered determining the entire matter, including
1225 the levy, collection, and distribution of any necessary
1226 taxes.

1227 Sec. 51. Section two hundred seventy-five point
1228 thirty-nine (275.39), Code 1971, is amended to read
1229 as follows:

1230 275.39 EXCLUDED TERRITORY INCLUDED IN NEW PETITION.

1231 Territory described in the petition of a proposed
 1232 reorganization which has been set out of the proposed
 1233 reorganization by the [county board or the joint boards,
 1234 as the case may be,] *superintendent of public*
 1235 *instruction* and in the event of an appeal, after the
 1236 decision of [the state department of public instruction
 1237 or] the courts as by law provided, may be included
 1238 in any new petition for reorganization.

1239 Sec. 52. Section two hundred seventy-seven point
 1240 twenty-eight (277.28), unnumbered paragraph one (1),
 1241 Code 1971, is amended to read as follows:

1242 Each director elected at a regular district or
 1243 director district election, as the case may be, shall
 1244 qualify by taking the oath of office on or before
 1245 the time set for the organization meeting of the board
 1246 the third Monday in September, and his election and
 1247 qualification entered of record by the secretary.
 1248 The oath may be administered by any qualified member
 1249 of the board[,] or the secretary of the board, [or the
 1250 county superintendent of schools,] and may be taken
 1251 in substantially the following form:

1252 Sec. 53. Section two hundred seventy-nine point
 1253 seven (279.7), unnumbered paragraph one (1), Code
 1254 1971, is amended to read as follows:

1255 In any case where a vacancy or vacancies occur
 1256 among the elective officers or members of a school
 1257 board and the remaining members of such board have
 1258 not filled such vacancy within ten days after the
 1259 occurrence thereof, or when the board is reduced below
 1260 a quorum for any cause, the secretary of the board,
 1261 or if there be no secretary, the [county] superintendent
 1262 of [schools] *public instruction* shall call a special
 1263 election in the district, subdistrict, or subdistricts,
 1264 as the case may be, to fill such vacancy or vacancies,
 1265 giving the notices required by law for such special
 1266 elections, which election shall be held not sooner
 1267 than ten days nor later than fourteen days thereafter.

1268 In any case where the secretary fails for more than
 1269 three days to call such election, the county
 1270 [superintendent] *auditor* shall call it by giving the
 1271 notices required by law for special elections.

1272 Sec. 54. Section two hundred seventy-nine point
 1273 eighteen (279.18), Code 1971, is amended to read as
 1274 follows:

1275 279.18 TUITION. The tuition costs to be mutually
 1276 agreed upon by the respective boards shall be paid
 1277 by the home district and shall be equal to the average
 1278 cost per elementary child (including both resident
 1279 and tuition students) in average daily [attendance]
 1280 *membership* in the tuition-receiving district for the
 1281 preceding year. Such tuition rates shall include
 1282 expenditures from the general fund for general control,
 1283 instruction, auxiliary agencies except transportation

1284 costs, co-ordinate activities, operation of plant,
1285 maintenance of plant, fixed charges including insurance
1286 on buildings and contents, capital, interest paid
1287 for debt service from the general fund, interest paid
1288 for debt service and retirement of bonds from the
1289 schoolhouse fund. A pro rata charge for depreciation
1290 on buildings shall be made at the rate of two percent
1291 per annum on the appraised value, less bonded
1292 indebtedness thereon, of all buildings owned by the
1293 school corporation and used for elementary school
1294 purposes, but not exceeding the maximum tuition rate
1295 as determined by the state superintendent of public
1296 instruction as prescribed in section 282.24. No
1297 depreciation charge shall be made for the portion
1298 of the initial cost of buildings and equipment
1299 purchased with federal grants. [On or before July
1300 15, 1953, the board in each school corporation
1301 accepting tuition pupils shall cause its buildings
1302 to be appraised and an itemized statement of the
1303 results of the appraisal filed with the county
1304 superintendent. Such statement shall constitute the
1305 basis for the hereinabove provided depreciation charge.
1306 Such appraisal shall be made by a board comprised
1307 of the county or city assessor and one member appointed
1308 by the local school corporation and one member
1309 appointed by the county board of education.]
1310 The tuition rates and the computation thereof shall
1311 be filed with the [county board of education]
1312 *superintendent of public instruction* not later than
1313 July 30 for its review and approval. Receiving
1314 districts cannot receive tuition until approval is
1315 granted by the [county board of education] *superintendent*
1316 *of public instruction*. [The right of appeal shall
1317 be as provided in section 285.13.]
1318 Sec. 55. Section two hundred seventy-nine point
1319 thirty-three (279.33), Code 1971, is amended to read
1320 as follows:

1321 279.33 OTHER DISTRICTS—FILING STATEMENT. In
1322 every other school district, and in every school
1323 district wherein no newspaper is published, the
1324 president and secretary of the board of directors
1325 thereof [shall file the above statement with the county
1326 superintendent of schools] during the second week of
1327 July of each year [and] shall post copies thereof in
1328 three conspicuous places in the district.

1329 Sec. 56. Section two hundred eighty point seventeen
1330 (280.17), Code 1971, is amended to read as follows:

1331 280.17 HIGHER AND GRADED SCHOOLS. The board may
1332 establish graded and high schools and determine what
1333 branches shall be taught therein, but the course of
1334 study shall be subject to the approval of the state
1335 board of public instruction. [Whenever the board
1336 in a school township establishes a high school, such
1337 high school can be discontinued only by an affir-
1338 mative vote of a majority of the votes cast for and

1339 against such proposition at an election which may
1340 be called by the county superintendent of schools
1341 upon a petition for such election being presented
1342 signed by twenty-five percent of the electors in such
1343 township.]

1344 Sec. 57. Section two hundred eighty A point one
1345 (280A.1), unnumbered paragraph one (1), Code 1971,
1346 is amended to read as follows:

1347 It is hereby declared to be the policy of the state
1348 of Iowa and the purpose of this chapter to provide
1349 for the establishment of not more than seventeen areas
1350 which shall include all of the area of the state and
1351 which may operate either area vocational schools or
1352 area community colleges *and shall offer programs and*
1353 *services to the local school districts within the*
1354 *merged area* offering to the greatest extent possible,
1355 educational opportunities and services in each of
1356 the following, when applicable, but not necessarily
1357 limited to:

1358 Sec. 58. Section two hundred eighty A point one
1359 (280A.1), Code 1971, is amended by adding the following
1360 new subsection:

1361 "Programs and services to local school districts
1362 in the merged area as listed in section two (2) of
1363 this Act."

1364 Sec. 59. Section two hundred eighty A point two
1365 (280A.2), subsection four (4), Code 1971, is amended
1366 to read as follows:

1367 4. "Merged area" means an area where two or more
1368 county school systems or parts thereof merge resources
1369 to establish and operate a vocational school or a
1370 community college *and to provide programs and services*
1371 *to the constituent local school districts* in the
1372 manner provided in this chapter.

1373 Sec. 60. Section two hundred eighty A point twelve
1374 (280A.12), Code 1971, is amended to read as follows:

1375 280A.12 GOVERNING BOARD. The governing board
1376 of a merged area shall be a board of directors composed
1377 of one member elected from each director district
1378 in the area by the electors of the respective district.
1379 Members of the board shall be residents of the district
1380 from which elected. Successors shall be chosen at
1381 the annual school elections for members whose terms
1382 expire on the first Monday in October following such
1383 elections. Terms of members of the board of directors
1384 shall be three years except that members of the initial
1385 board of directors elected at the special election
1386 shall determine their respective terms by lot so that
1387 the terms of one-third of the members, as nearly as
1388 may be, shall expire on the first Monday in October
1389 of each succeeding year. Vacancies on the board which
1390 occur more than ninety days prior to the next annual
1391 school election shall be filled at the next regular
1392 meeting of the board by appointment by the remaining
1393 members of the board. The member so chosen shall

1394 be a resident of the district in which the vacancy
1395 occurred and shall serve until the next annual school
1396 election, at which election a member shall be elected
1397 to fill the vacancy for the balance of the unexpired
1398 term. A vacancy shall be defined as in section 277.29.
1399 No member shall serve on the board of directors who
1400 is a member of a board of directors of a local school
1401 district [or a member of a county board of education].

1402 Sec. 61. Section two hundred eighty A point
1403 seventeen (280A.17), unnumbered paragraph one (1),
1404 Code 1971, is amended to read as follows:

1405 The board of directors of each merged area shall
1406 prepare an annual budget designating the proposed
1407 expenditures for operation of the area vocational
1408 school or area community college. The board shall
1409 further designate the amounts which are to be raised
1410 by local taxation and the amounts which are to be
1411 raised by other sources of revenue for such operation.
1412 The budget of each merged area shall be submitted
1413 to the state board no later than June 1 preceding
1414 the next fiscal year for approval. The state board
1415 shall review the proposed budget and shall, prior
1416 to July 1, either grant its approval or return the
1417 budget without approval with the comments of the state
1418 board attached thereto. Any unapproved budget shall
1419 be resubmitted to the state board for final approval.
1420 Upon approval of the budget by the state board, the
1421 board of directors shall prorate the amount to be
1422 raised by local taxation among the respective [county]
1423 school [systems, or parts thereof,] *districts* in the
1424 proportion that the value of taxable property in each
1425 [system, or part thereof,] *school district* bears to
1426 the total value of taxable property in the area.
1427 The board of directors shall certify the amount so
1428 determined to the respective county auditors and the
1429 boards of supervisors shall levy a tax sufficient
1430 to raise the amount. No tax in excess of three-fourths
1431 mill shall be levied on taxable property in a merged
1432 area for the operation of an area vocational school
1433 or area community college. Taxes collected pursuant
1434 to such levy shall be paid by the respective county
1435 treasurers to the treasurer of the merged area in
1436 the same manner that other school taxes are paid to
1437 local school districts.

1438 Sec. 62. Section two hundred eighty A point twenty-
1439 one (280A.21), Code 1971, is amended to read as
1440 follows:

1441 280A.21 ELECTION TO INCUR INDEBTEDNESS. No
1442 indebtedness shall be incurred under section 280A.19
1443 until authorized by an election. *Notice of any such*
1444 *election shall be given by publication once each week*
1445 *for two consecutive weeks in each county contained*
1446 *in whole or in part within the boundaries of the*
1447 *merged area. The first publication of such notice*
1448 *in each newspaper shall appear at least ten days prior*

1449 *to the date fixed for the election. The notice shall*
1450 *state the date of the election, the hours of opening*
1451 *and closing the polls, the questions to be submitted,*
1452 *and that a complete list of all polling places and*
1453 *their exact locations is on file in the office of*
1454 *the secretary of the board of directors of the merged*
1455 *area. The secretary of the merged area shall*
1456 *continuously maintain on file a complete list of all*
1457 *polling places and their exact locations from the*
1458 *date of the first publication of the notice until*
1459 *the day following the election, and the list shall*
1460 *be available for examination by any interested person*
1461 *during hours the office is open. The publication*
1462 *of notice in the manner provided in this section shall*
1463 *be in lieu of any other notice required by law. A*
1464 *proposition to incur indebtedness and issue bonds*
1465 *for area vocational school or area community college*
1466 *purposes shall be deemed carried in a merged area*
1467 *if approved by a sixty percent majority of all voters*
1468 *voting on the proposition in the area.*

1469 Sec. 63. Chapter two hundred eighty A (280A),
1470 Code 1971, is amended by adding the following new
1471 sections:

1472 1. "Regular elections held annually by the merged
1473 area for the election of members of the board of
1474 directors as required by section two hundred eighty
1475 A point twelve (280A.12) of the Code, for the renewal
1476 of the three-fourths mill levy authorized in section
1477 two hundred eighty A point twenty-two (280A.22) of
1478 the Code, or for any other matter authorized by law
1479 and designated for election by the board of directors
1480 of the merged area, shall be held on the date of the
1481 annual school election for local school districts
1482 as established by section two hundred seventy-seven
1483 point one (277.1) of the Code. For the election the
1484 merged area shall utilize the polling places and
1485 election officials of local school districts of the
1486 area. The merged area shall contract with the local
1487 school districts at a rate not exceeding ten dollars
1488 per school voting precinct for the cost of providing
1489 election officials and polling places for the
1490 election."

1491 2. "The board of directors of the merged area
1492 shall be responsible for all details of conducting
1493 special elections for the merged area on matters
1494 authorized by law, and for the special election, the
1495 merged area board shall provide at least one polling
1496 place for each local school district."

1497 3. "Nomination papers in behalf of a candidate
1498 for a member of the board of directors of the merged
1499 area shall be filed with the secretary of the board
1500 not more than forty-five days nor less than twenty
1501 days prior to the election at which a member is to
1502 be elected. Each candidate shall be nominated by
1503 a petition signed by not less than fifty qualified

1504 electors of the director district from which the
1505 member is to be elected, which petition shall state
1506 the number of the director district from which a
1507 member is to be elected, the office to which he is
1508 to be elected, the name of the candidate and that
1509 he is a resident and elector in the director district.
1510 Signers of the petition in addition to signing their
1511 names, shall show their residence, including street
1512 and number, if any, the school district in which they
1513 reside, and the date of signing, and each nomination
1514 paper shall have appended to it an affidavit of an
1515 elector other than the candidate in substantially
1516 the form provided in section forty-three point
1517 seventeen (43.17) of the Code, except as to party
1518 affiliation."

1519 4. "The board of directors of the merged area
1520 shall cause to be printed the election ballots and
1521 the necessary forms used by judges and clerks of
1522 election and by secretaries of local school districts
1523 in making election returns. The ballots for each
1524 director district in which a vacancy occurs shall
1525 contain the names of all nominees for member of the
1526 board of directors from the director district, and
1527 the names shall be arranged in alphabetical order
1528 by surname. Not later than five days before the
1529 election, the secretary of the merged area shall
1530 deliver to the secretaries of the local school
1531 districts of the area the necessary election forms
1532 and a sufficient number of ballots for use by the
1533 electors of the director districts in which a member
1534 is to be elected."

1535 5. "Within five days following the election, a
1536 return of the votes cast in the election shall be
1537 made by the local district secretaries to the board
1538 of directors of the merged area, who shall meet not
1539 later than the last Monday of September to canvass
1540 the vote and issue certificates of election. Members
1541 elected to the board of directors of a merged area
1542 shall qualify by taking the oath of office prescribed
1543 in section two hundred seventy-seven point twenty-
1544 eight (277.28) of the Code."

1545 Sec. 64. Section two hundred eighty-one point
1546 two (281.2), Code 1971, is amended by striking the
1547 section and inserting in lieu thereof the following:

1548 281.2 DEFINITION.

1549 1. "Children requiring special education" means
1550 children under twenty-one years of age who are handi-
1551 capped in obtaining an education because of physical,
1552 mental, emotional, communication or learning problems,
1553 as defined by the rules of the department of public
1554 instruction.

1555 2. "Special education" means classroom, home,
1556 hospital, institutional, or other instruction designed
1557 to meet the needs of children requiring special
1558 education as defined in subsection one (1) of this

1559 section; transportation and corrective and supporting
1560 services required to assist children requiring special
1561 education, as defined in subsection one (1) of this
1562 section, in taking advantage of, or responding to,
1563 educational programs and opportunities, as defined
1564 by the department of public instruction.

1565 It is the policy of this state to provide and to
1566 require school districts to make provision, as an
1567 integral part of public education, special education
1568 opportunities sufficient to meet the needs and maximize
1569 the capabilities of children requiring special
1570 education. This chapter is not to be construed as
1571 encouraging separate facilities or segregated pro-
1572 grams designed to meet the needs of children requiring
1573 special education when such children can benefit from
1574 all or part of the education program as offered by
1575 the local school district. To the maximum extent
1576 possible, children requiring special education shall
1577 attend regular classes and shall be educated with
1578 children who do not require special education.
1579 Whenever possible, restrictions to learning and to
1580 the normal functioning of children requiring special
1581 education within the regular school environment shall
1582 be overcome by the provision of special aids and
1583 services rather than by separate programs for those
1584 in need of special education. Special classes,
1585 separate schooling or other removal of children
1586 requiring special education from the regular
1587 educational environment, shall occur only when, and
1588 to the extent that the nature or severity of the
1589 educational handicap is such that education in regular
1590 classes, even with the use of supplementary aids and
1591 services, cannot be accomplished satisfactorily.

1592 It is the responsibility of local governments and
1593 school districts to expend effort on behalf of the
1594 education of each child requiring special education
1595 an amount at least equal to the effort expended on
1596 account of the education of each child who does not
1597 require special education. Any additional effort
1598 necessary to provide supplemental aids and services
1599 shall be the ultimate responsibility of the state
1600 but shall in part be delegated to other educational
1601 structures as authorized in the Code of Iowa.

1602 Sec. 65. Section two hundred eighty-one point
1603 three (281.3), subsections seven (7), eight (8), and
1604 nine (9), Code 1971, are amended to read as follows:

1605 7. To provide for certification by competent
1606 [medical and psychological] authorities of the
1607 eligibility of children requiring special education
1608 for admission to, or discharge from, special schools,
1609 classes or instruction.

1610 8. To initiate the establishment of classes for
1611 children requiring special education in hospitals
1612 and convalescent homes, in co-operation with the
1613 management thereof and local school districts or

1614 [county boards of education] *merged area boards*.

1615 9. To co-operate with school districts or [county
1616 boards of education] *merged area boards* in arranging
1617 for any child requiring special education to attend
1618 school in a district other than the one in which he
1619 resides when there is no available special school,
1620 class, or instruction in the districts in which he
1621 resides.

1622 Sec. 66. Section two hundred eighty-one point
1623 three (281.3), subsection twelve (12), Code 1971,
1624 is amended by striking the subsection and inserting
1625 in lieu thereof the following:

1626 12. To provide for the employment and establish
1627 standards for the performance of special services
1628 support personnel required to assist in the
1629 identification of and educational programs for children
1630 requiring special education.

1631 13. To provide for the establishment of special
1632 education research and demonstration projects and
1633 models for special education program development.

1634 14. To establish a special education resource,
1635 materials and training system for the purposes of
1636 developing specialized instructional materials and
1637 provide in-service training to personnel employed
1638 to provide educational services to children requiring
1639 special education.

1640 15. To approve the establishment, maintenance
1641 and reimbursement of special education programs
1642 established under this chapter pursuant to the
1643 provisions of chapter one hundred sixty-five (165),
1644 section twenty-nine (29), Acts of the Sixty-fourth
1645 General Assembly, First Session.

1646 16. To approve the acquisition and use of special
1647 facilities designed for the purpose of providing
1648 educational services to children requiring special
1649 education.

1650 17. To make rules and regulations to carry out
1651 the powers and duties provided for in this section.

1652 Sec. 67. Section two hundred eighty-one point
1653 four (281.4), Code 1971, is amended by striking the
1654 section and inserting in lieu thereof the following:

1655 281.4 POWERS OF THE BOARD OF DIRECTORS. The board
1656 of directors of any school district or merged area,
1657 with the approval of the state department of public
1658 instruction, may provide special education programs
1659 and services as defined in this chapter. If services
1660 are provided by the merged area, with the approval
1661 of the department of public instruction, the board
1662 of directors of the merged area with the cooperation
1663 of the local school districts within its jurisdiction
1664 may:

1665 1. Establish and operate special education programs
1666 and classes for the education of children requiring
1667 special education.

1668 2. Acquire, maintain, and construct facilities

1669 in which to provide education, corrective services,
1670 and supportive services for children requiring special
1671 education.

1672 3. Make arrangements with participating school
1673 districts for the provision of special education,
1674 corrective, and supportive services to the children
1675 requiring special education residing in such school
1676 districts.

1677 4. Employ special education teachers and personnel
1678 required to furnish corrective or supportive services
1679 to children requiring special education services.

1680 5. Provide transportation for children requiring
1681 special education services that are in need of
1682 transportation in connection with any of its programs,
1683 classes or services.

1684 6. Receive, administer and expend funds
1685 appropriated for its use.

1686 7. Receive, administer and expend the proceeds
1687 of any issue of school bonds or other bonds intended
1688 wholly or partly for its benefit.

1689 8. Apply for, accept, and utilize grants, gifts
1690 or other assistance.

1691 9. Participate in, and make its employees eligible
1692 to participate in, any retirement system, group
1693 insurance system, or other program of employee
1694 benefits, on the same terms as govern school districts
1695 and their employees.

1696 10. Do such other things as are necessary and
1697 incidental to the execution of any of its powers.

1698 The board of directors of the local district or
1699 the merged area shall employ qualified teachers
1700 certified by the authority provided by law as teachers
1701 for children requiring such special education. The
1702 maximum number of pupils per teacher shall be
1703 determined by the board of directors of the local
1704 district or the merged area in accordance with the
1705 rules and regulations of the state department of
1706 public instruction.

1707 The board of directors of the local district or
1708 the merged area may establish and operate one or more
1709 special education centers to provide diagnostic,
1710 therapeutic, corrective, and other services, on a
1711 more comprehensive, expert, economic and efficient
1712 basis than can be reasonably provided by a single
1713 school district. Such services, if offered by the
1714 merged area board, may be provided in the regular
1715 schools using personnel and equipment of the merged
1716 area or, whenever it is impractical or inefficient
1717 to provide them on the premises of a regular school,
1718 the merged area may provide services in its own
1719 facilities. To the maximum extent feasible, such
1720 centers shall be established at and in conjunction
1721 with, or in close proximity to one or more elementary
1722 and secondary schools. Centers established pursuant
1723 to this section may contain classrooms and other

1724 educational facilities and equipment to supplement
1725 instruction and other services to handicapped chil-
1726 dren in the regular schools, and to provide separate
1727 instruction to children whose degree or type of
1728 educational handicap makes it impractical or
1729 inappropriate for them to participate in classes with
1730 normal children.

1731 Sec. 68. Section two hundred eighty-one point
1732 five (281.5), Code 1971, is amended by striking the
1733 section and inserting in lieu thereof the following:
1734 281.5 REPORTS. Each local school district and
1735 merged area shall by March first of each year submit
1736 to the division of special education of the state
1737 department of public instruction a plan for providing
1738 educational programs for children requiring special
1739 education. The plan shall include the proposed budget,
1740 the names and positions of personnel employed, the
1741 rate of occurrences of the conditions which require
1742 the children to be in need of special education
1743 services, the proposed plan for meeting the needs
1744 of children requiring special education services,
1745 the geographic distribution of children requiring
1746 special education services and any other such data
1747 as may be required by the division of special
1748 education.

1749 Sec. 69. Section two hundred eighty-one point
1750 six (281.6), Code 1971, is amended to read as follows:
1751 281.6. PARENT'S OR GUARDIAN'S DUTIES. *When the*
1752 *school district or [county board of education] merged*
1753 *area has provided special education [facilities] services*
1754 *and programs as provided herein for any child requiring*
1755 *special education, either by admission to a special*
1756 *class or by [special instruction] supportive services,*
1757 *it shall be the duty of the parent or guardian to*
1758 *enroll said child for instruction in such special*
1759 *classes or [instruction] supportive services as may*
1760 *be established, except in the event a doctor's*
1761 *certificate is filed with the secretary of the school*
1762 *district showing that it is inadvisable for medical*
1763 *reasons for the child requiring special education*
1764 *to receive the special education provided; all the*
1765 *provisions and conditions of chapter 299 and amendments*
1766 *thereto shall be applicable to this section, and any*
1767 *violations shall be punishable as provided in said*
1768 *chapter.*

1769 *A child, or his parent or guardian, may obtain*
1770 *a review of any action or omission of state or local*
1771 *authorities pursuant to the procedures established*
1772 *in chapter 290 on the ground that the child has been*
1773 *or is about to be:*

1774 1. *Denied entry or continuance in a program of*
1775 *special education appropriate to his condition and*
1776 *needs.*

1777 2. *Placed in a special education program which*
1778 *is inappropriate to his condition and needs.*

1779 3. Denied educational services because no suitable
1780 program of education or related services is maintained.

1781 4. Provided with special education which is
1782 insufficient in quantity to satisfy the requirements
1783 of law.

1784 5. Provided with special education to which he
1785 is entitled only by units of government or in
1786 situations which are not those having the primary
1787 responsibility for providing the service in question.

1788 6. Assigned to a program of special education
1789 when he is not handicapped.

1790 Sec. 70. Section two hundred eighty-one point
1791 ten (281.10), Code 1971, is amended by striking the
1792 section and inserting in lieu thereof the following:

1793 281.10 REPORT TO STATE DEPARTMENT. By September

1794 1, 1972 and by July twentieth of each succeeding year,
1795 each board of directors of a merged area shall report
1796 to the division of special education on forms provided
1797 by it, such information as the division may require
1798 in order to determine the extent to which special
1799 education services have been provided to the pupils
1800 requiring special education within the districts of
1801 the area. Such statements shall include a financial
1802 report of the special education programs and services
1803 provided by the merged area during the preceding
1804 fiscal year and the extent to which the merged area
1805 will need state reimbursement for approved special
1806 education expenditures not provided for through its
1807 allocations from the local districts. The division
1808 may require additional information and upon determining
1809 the amount to which the merged area is entitled shall
1810 apply to the state comptroller for payment from state
1811 funds appropriated under section one hundred fifty-
1812 seven (157) of this Act and chapter one hundred sixty-
1813 five (165), section twenty-nine (29), Acts of the
1814 Sixty-fourth General Assembly, First Session.

1815 Sec. 71. Chapter two hundred eighty-one (281),
1816 Code 1971, is amended by adding the following new
1817 sections:

1818 1. "RESPONSIBILITY OF LOCAL EDUCATION AGENCY.

1819 It shall be the responsibility of the board of
1820 directors of each local school district to cooperate
1821 and participate to the fullest extent possible with
1822 the merged area providing special education services
1823 and programs to children in need of special education.
1824 It shall be the responsibility of the local school
1825 district to inform the merged area of those pupils
1826 in need of special education and to provide those
1827 services with its own resources that would be provided
1828 within the district for those children not requiring
1829 special education services. The local district shall
1830 provide classroom facilities and programs as necessary
1831 for the purposes of providing special education
1832 services to children requiring special education
1833 among its resident population in the same proportion
1834 as it provides facilities and other educational

1835 services to its school population not requiring special
1836 education.

1837 The merged area shall assist the local district
1838 in the identification of children requiring special
1839 education, in determining what special education
1840 services are needed for those children requiring
1841 special education, and shall make provision for those
1842 services as required."

1843 2. "APPROPRIATION TO STATE DEPARTMENT. Three
1844 million seven hundred thousand dollars is appropriated
1845 annually to the state department of public instruction
1846 from the general fund of the state for the following
1847 purposes:

1848 1. Reimbursement to the merged area for
1849 continuation of existing approved special education
1850 programs for which local or area funds are not
1851 sufficient.

1852 2. All administrative costs incurred in providing
1853 special education services by the merged area.

1854 3. Operation of a statewide special education
1855 resource, materials and training system.

1856 4. Approved special education research and
1857 demonstration programs and program development models.

1858 5. Special services and programs for low incidence
1859 handicapping conditions that cannot be efficiently
1860 or effectively provided for within the structure of
1861 the merged area.

1862 6. Educational diagnostic services as approved
1863 by the department of public instruction.

1864 7. Reimbursement to local school districts
1865 providing their own special education programs."

1866 Sec. 72. Section two hundred eighty-two point
1867 three (282.3), unnumbered paragraph one (1), Code
1868 1971, is amended to read as follows:

1869 No child under the age of six years on the fifteenth
1870 of September of the current school year shall be
1871 admitted to any public school unless the board of
1872 directors of the school [(or the county board of
1873 education)] shall have adopted and put into effect
1874 courses of study for the school year immediately
1875 preceding the first grade, approved by the department
1876 of public instruction and shall have employed a teacher
1877 or teachers for this work with standards of training
1878 approved by the department of public instruction.

1879 Sec. 73. Section two hundred eighty-two point
1880 twenty (282.20), unnumbered paragraphs one (1) and
1881 three (3), Code 1971, are amended to read as follows:

1882 The school corporation in which such student resides
1883 shall pay from the general fund to the secretary of
1884 the corporation in which he shall be permitted to
1885 enter a tuition fee sufficient to cover the average
1886 cost per high school child (including both resident
1887 and tuition students) in average daily attendance
1888 in the tuition-receiving district in the preceding
1889 year. Such tuition rates shall include expenditures

1890 from the general fund for general control, instruction,
1891 auxiliary agencies except transportation costs, co-
1892 ordinate activities, operation of plant, maintenance
1893 of plant, fixed charges including insurance on
1894 buildings and contents, capital, interest paid for
1895 debt service from the general fund, interest paid
1896 for debt service and retirement of bonds from the
1897 schoolhouse fund. A pro rata charge for depreciation
1898 on buildings shall be made at the rate of two percent
1899 per annum on the appraised value, less bonded
1900 indebtedness thereon, of all buildings owned by the
1901 school corporation and used for high school purposes,
1902 but not exceeding the maximum tuition rate as
1903 determined by the state superintendent of public
1904 instruction as prescribed in section 282.24. No
1905 depreciation charge shall be made for the portion
1906 of the initial cost of buildings and equipment
1907 purchased with federal grants. [On or before July
1908 15, 1953, the board in each school corporation
1909 accepting tuition pupils shall cause its buildings
1910 to be appraised and an itemized statement of the
1911 results of the appraisal filed with the county
1912 superintendent. Such]. *The appraisal and itemized*
1913 *statement of the appraisal filed in 1953* shall
1914 constitute the basis for the hereinabove provided
1915 depreciation charge. [Such appraisal shall be made
1916 by a board comprised of the county or city assessor
1917 and one member appointed by the local school
1918 corporation and one member appointed by the county
1919 board of education.]

1920 The tuition rates and the computation thereof shall
1921 be filed with the [county board of education]
1922 *superintendent of public instruction* not later than
1923 July 30 for its review and approval. Receiving
1924 districts cannot receive tuition until approval is
1925 granted by the [county board of education] *superintendent*
1926 *of public instruction*. [The right of appeal shall
1927 be as provided in section 285.13.]

1928 Sec. 74. Section two hundred eighty-four point
1929 four (284.4), unnumbered paragraph four (4), Code
1930 1971, is amended to read as follows:

1931 The executive council of the state shall deduct
1932 from tax-free land reimbursement claims those amounts
1933 certified to them by *the county* [boards of education]
1934 *auditor* under section 467B.14.

1935 Sec. 75. Section two hundred eighty-five point
1936 one (285.1), subsections six (6), seven (7), and nine
1937 (9), Code 1971, are amended to read as follows:

1938 6. When the school designated for attendance of
1939 pupils is engaged in the transportation of pupils,
1940 the sending or designating school shall use these
1941 facilities and pay the pro rata cost of transportation
1942 except that a district sending pupils to another
1943 school may make other arrangements when it can be
1944 shown that such arrangements will be more efficient
1945 and economical than to use facilities of the receiv-

1946 ing school, providing such arrangements are approved
1947 by the [county board of education] *superintendent of*
1948 *public instruction*.

1949 7. If a board closes either elementary or high
1950 school facilities and is approved by the [county board
1951 of education] *superintendent of public instruction*
1952 to operate its own transportation equipment, the full
1953 cost of transportation shall be paid by the board
1954 for all pupils living beyond the statutory walking
1955 distance from the school designated for attendance.

1956 9. Distance to school or to a bus route shall
1957 in all cases be measured on the public highway only
1958 and over the most passable and safest route [as
1959 determined by the county board of education], starting
1960 in the roadway opposite the private entrance to the
1961 residence of the pupil and ending in the roadway
1962 opposite the entrance to the school grounds or
1963 designated point on bus route.

1964 Sec. 76. Section two hundred eighty-five point
1965 one (285.1), subsection thirteen (13), Code 1971,
1966 is amended to read as follows:

1967 13. When a local board fails to pay transportation
1968 costs due to another school for transportation service
1969 rendered, the board of the creditor corporation shall
1970 file a sworn statement with the [county board of
1971 education] *superintendent of public instruction*
1972 specifying the amount due. The [county board of
1973 education] *superintendent of public instruction* shall
1974 check such claim and if the claim is valid shall
1975 certify to the county auditor. The auditor shall
1976 transmit to the county treasurer an order directing
1977 him to transfer the amount of such claim from the
1978 funds of the debtor corporation to the creditor
1979 corporation and the treasurer shall pay the same
1980 accordingly.

1981 Sec. 77. Section two hundred eighty-five point
1982 four (285.4), Code 1971, is amended to read as follows:

1983 285.4 PUPILS SENT TO ANOTHER DISTRICT. On or
1984 before July 8, 1949, the board in districts not
1985 maintaining high school facilities shall by record
1986 action designate the school or schools for attendance
1987 of all high school pupils from their respective
1988 districts. In making designations, the local board
1989 shall give consideration to the wishes of the majority
1990 of the patrons, the adequacy of the facilities and
1991 curricular offerings and available bus service to
1992 avoid duplication of transportation facilities to
1993 different receiving schools.

1994 When a board closes its elementary school facilities
1995 for lack of pupils or by action of the board, it
1996 shall, if there is a school bus service available
1997 in the area, designate for attendance the school
1998 operating the buses, provided the board of such school
1999 is willing to receive them and the facilities and
2000 curricular offerings are adequate. The board of the

2001 district where the pupils reside may with the approval
 2002 of the [county board of education] *superintendent of*
 2003 *public instruction*, subject to legal limitations and
 2004 established uniform standards, designate another rural
 2005 school and provide their own transportation if the
 2006 transportation costs will be less than to use the
 2007 established bus service.

2008 All designations must be submitted to the [county
 2009 board of education] *superintendent of public instruction*
 2010 on or before July 15, for review and approval. The
 2011 [county board of education] *superintendent of public*
 2012 *instruction* shall after due investigation alter or
 2013 change designations to make them conform to legal
 2014 requirements and established uniform standards for
 2015 making designations and for locating and establishing
 2016 bus routes. After designations are made, they will
 2017 remain the same from year to year except that on or
 2018 before July 15, of each year, the rural board or
 2019 parents may petition the [county board] *superintendent*
 2020 *of public instruction* for a change of designation
 2021 to another school. [Appeals from the decision of the
 2022 county board on designations may be made by either
 2023 the parents or board to the state superintendent
 2024 of public instruction as provided in section 285.12
 2025 and section 285.13.]

2026 Sec. 78. Section two hundred eighty-five point
 2027 nine (285.9), Code 1971, is amended to read as follows:

2028 285.9 POWERS AND DUTIES OF COUNTY BOARDS. The
 2029 powers and duties of the [respective county boards
 2030 of education] *superintendent of public instruction*
 2031 shall be to:

2032 1. Enforce all laws and all rules and regulations
 2033 of the state department of public instruction relating
 2034 to transportation.

2035 2. Review and approve all transportation
 2036 arrangements between districts [in the county] and in
 2037 all districts [in the county] not operating high schools.
 2038 If such transportation arrangements, designations,
 2039 and contracts are not in conformity to law or
 2040 established uniform standards for the locating and
 2041 operating of bus routes, the [county board]
 2042 *superintendent of public instruction* shall, after
 2043 receiving all facts, make such alterations or changes
 2044 as necessary to make the arrangements, designations,
 2045 and contracts conform to the legal and established
 2046 requirements and shall notify local board of such
 2047 action.

2048 3. Approve all bus routes outside the boundary
 2049 of the district of the school operating buses.

2050 4. When a local board fails to make designations
 2051 and other necessary arrangements for transportation
 2052 as required by law, the [county board] *superintendent*
 2053 *of public instruction* shall, after due notice to the
 2054 local board, make necessary arrangements in conformity
 2055 with law and established requirements. Notice shall
 2056 be given to the local board of the arrangements as

2057 made. The arrangements shall be binding on the local
2058 board which shall pay the costs for service as
2059 arranged.

2060 Sec. 79. Section two hundred eighty-five point
2061 ten (285.10), subsection eight (8), paragraphs "b"
2062 and "c", Code 1971, are amended to read as follows:

2063 [b. Boards in rural township districts desiring
2064 to close schools and transport children to schools
2065 outside district may apply to the county board of
2066 education for approval of bus routes and for approval
2067 to purchase bus. If approved, they may purchase the
2068 buses needed to provide transportation. Once approved,
2069 to purchase buses, the board may purchase replacements
2070 without approval of the county board. Additional
2071 equipment must be approved by county board of
2072 education.]

2073 [e]b. Boards in independent and consolidated
2074 districts who propose to establish transportation
2075 service for nonresident pupils must obtain approval
2076 from the [county board of education] *superintendent*
2077 *of public instruction* for establishing of bus routes
2078 and for the purchasing of additional buses to provide
2079 service as approved. Such approval shall be granted
2080 only when such schools have sufficient pupils to
2081 transport to guarantee near capacity utilization of
2082 the buses. Replacement of equipment to operate on
2083 approved routes may be purchased without [county board]
2084 approval of the *superintendent of public instruction*.

2085 Sec. 80. Section two hundred eighty-five point
2086 twelve (285.12), Code 1971, is amended to read as
2087 follows:

2088 285.12 DISPUTES—HEARINGS AND APPEALS. In the
2089 event of a disagreement between a school patron and
2090 the board of the school district, the patron if
2091 dissatisfied with the decision of the district board,
2092 may appeal the same to the [county board of education]
2093 *superintendent of public instruction*, notifying the
2094 secretary of the district in writing within ten days
2095 of the decision of the board and by filing an affi-
2096 davit of appeal with the [county board of education]
2097 *superintendent of public instruction* within the ten-
2098 day period. The affidavit of appeal shall include
2099 the reasons for the appeal and points at issue. The
2100 secretary of the local board on receiving notice of
2101 appeal shall certify all papers to the [county board
2102 of education] *superintendent of public instruction*
2103 which shall hear the appeal within [ten] *fifteen* days
2104 of the receipt of the papers and decide it within
2105 three days of the conclusion of the hearing and shall
2106 immediately notify all parties of its decision.
2107 [Either party may appeal the decision of the county
2108 board to the state superintendent of public instruction
2109 by notifying the opposite party and the county
2110 superintendent of schools in writing within five days
2111 after receipt of notice of the decision of the county

2112 board of education and shall file with the state
2113 superintendent of public instruction an affidavit
2114 of appeal, reasons for appeal, and the facts involved
2115 in the disagreement. The county superintendent of
2116 schools shall, within ten days of said notice, file
2117 with the state superintendent of public instruction
2118 all records and papers pertaining to the case,
2119 including action of the county board of education.
2020 The state superintendent of public instruction shall
2021 hear the appeal within fifteen days of the filing
2122 of the records in his office, notifying all parties
2123 and the county superintendent of schools of the time
2124 of hearing. The state superintendent of public
2125 instruction shall forthwith decide the same and notify
2126 all parties of his decision and return all papers
2127 with a copy of the decision to the county
2128 superintendent of schools.] The decision of the state
2129 superintendent of public instruction shall be subject
2130 to appeal to the district court. Any order of the
2131 district court shall be subject to appeal to the
2132 supreme court in accord with the statutes respecting
2133 appeals to that court. Pending final order made by
2134 the state superintendent of public instruction, or
2135 the district court, or the supreme court, as the case
2136 may be, upon any appeal prosecuted to such
2137 superintendents or to such courts, the [order of the
2138 county board of education from which the appeal is
2139 taken] *decision of the district board* shall be operative
2140 and be in full force and effect.

2141 Sec. 81. Section two hundred eighty-five point
2142 thirteen (285.13), Code 1971, is amended to read as
2143 follows:

2144 285.13 DISAGREEMENTS BETWEEN BOARDS. In the event
2145 of a disagreement between the board of a school
2146 district and the [county] board of [education] *a merged*
2147 *area*, the board of the school district may appeal
2148 to the state superintendent of public instruction
2149 and the procedure and times provided for in section
2150 285.12 shall prevail in any such case. The decision
2151 of the state superintendent of public instruction
2152 shall be subject to appeal to the courts as provided
2153 for in section 285.12.

2154 Sec. 82. Section two hundred eighty-five point
2155 fifteen (285.15), Code 1971, is amended to read as
2156 follows:

2157 285.15 FORFEITURE OF REIMBURSEMENT RIGHTS. The
2158 failure of any local district to comply with the
2159 provisions of this chapter or any other laws relating
2160 to the transportation of pupils, or any rules or
2161 regulations made by the state department of public
2162 instruction under this chapter [or the final decisions
2163 of the county board of education], or the final
2164 decisions of the state department of public instruction
2165 shall cause such district to forfeit any rights to
2166 reimbursement for any transportation costs incurred

2167 during the period such failure to comply existed and
 2168 the rights to collect transportation costs from school
 2169 or parents while operating in such illegal manner.
 2170 Any superintendent, board, or board member who
 2171 knowingly operates or permits to be operated any
 2172 school bus transporting public school pupils in
 2173 violation of any school transportation law shall be
 2174 deemed guilty of a misdemeanor.

2175 Sec. 83. Section two hundred eighty-eight point
 2176 three (288.3), Code 1971, is amended to read as
 2177 follows:

2178 288.3 SUPERVISION—WHO ADMITTED. [If such] *The*
 2179 evening school [is a branch of a city or town school,
 2180 the same] shall be under the supervision of the
 2181 superintendent of [such city or town school, if not,
 2182 the same shall be under the supervision of the county
 2183 superintendent] *schools of the school district*. Such
 2184 evening school shall be available to all persons over
 2185 sixteen years of age who for any cause are unable
 2186 to attend the public day schools of such school
 2187 corporation.

2188 Sec. 84. Section two hundred eighty-nine point
 2189 seven (289.7), Code 1971, is amended to read as
 2190 follows:

2191 289.7 ENFORCEMENT. The enforcement of this chapter
 2192 shall rest with the school board in the district in
 2193 which such part-time school, department, or class
 2194 shall have been established, and the state department
 2195 of public instruction through its inspectors and the
 2196 state board for vocational education through its
 2197 supervisors of vocational education [, in conjunction
 2198 with the county superintendent of schools,] are
 2199 empowered to require enforcement of the same on the
 2200 part of school boards.

2201 Sec. 85. Section two hundred ninety point one
 2202 (290.1), Code 1971, is amended to read as follows:

2203 290.1 APPEAL TO [COUNTY SUPERINTENDENT] *STATE*
BOARD.

2204 Any person aggrieved by any decision or order of the
 2205 board of directors of any school corporation in a
 2206 matter of law or fact may, within thirty days after
 2207 the rendition of such decision or the making of such
 2208 order, appeal therefrom to the [county superintendent
 2209 of the proper county] *state board of public instruction*;
 2210 the basis of the proceedings shall be an affidavit
 2211 filed with the [county superintendent] *state board* by
 2212 the party aggrieved within the time for taking the
 2213 appeal, which affidavit shall set forth any error
 2214 complained of in a plain and concise manner.

2215 Sec. 86. Section two hundred ninety point two
 2216 (290.2), Code 1971, is amended to read as follows:

2217 290.2 NOTICE—TRANSCRIPT—HEARING. The [county
 2218 superintendent] *state board of public instruction*
 2219 shall, within five days after the filing of such
 2220 affidavit in his office, notify the secretary of the
 2221 proper school corporation in writing of the taking

2222 of such appeal, who shall, within ten days after being
 2223 thus notified, file [in the office of the county
 2224 superintendent] *with the state board* a complete
 2225 certified transcript of the record and proceedings
 2226 relating to the decision appealed from. Thereupon,
 2227 the [county superintendent] *state board* shall notify
 2228 in writing all persons adversely interested of the
 2229 time when and place where the matter of appeal will
 2230 be heard [by him].

2231 Sec. 87. Section two hundred ninety point three
 2232 (290.3), Code 1971, is amended to read as follows:

2233 290.3 HEARING—SHORTHAND REPORTER—DECISION.

2234 At the time fixed for the hearing, [he] *it* shall hear
 2235 testimony for either party, and may cause the same
 2236 to be taken down and transcribed by a shorthand
 2237 reporter, whose fees shall be fixed by the [county
 2238 superintendent] *state board* and be taxed as a part
 2239 of the costs in the case, and [he] *it* shall make such
 2240 decision as may be just and equitable, which shall
 2241 be final unless appealed from as hereinafter provided.

2242 Sec. 88. Section two hundred ninety point four
 2243 (290.4), Code 1971, is amended to read as follows:

2244 290.4 WITNESSES—FEES—COLLECTION. The [county

2245 superintendent] *state board of public instruction* in
 2246 all matters triable before [him] *it* shall have power
 2247 to issue subpoenas for witnesses, which may be served
 2248 by any peace officer, compel the attendance of those
 2249 thus served, and the giving of evidence by them, in
 2250 the same manner and to the same extent as the district
 2251 court may do, and such witnesses and officers may
 2252 be allowed the same compensation as is paid for like
 2253 attendance or service in such court, which shall be
 2254 paid out of the general fund of the proper school
 2255 corporation, upon the certificate of the superintendent
 2256 to and warrant of the secretary upon the opinion;
 2257 but if the [superintendent] *state board* is of the opinion
 2258 that the proceedings were instituted without reasonable
 2259 cause therefor, or if, in case of an appeal, it shall
 2260 not be sustained, [he] *it* shall enter such findings
 2261 in the record, and tax all costs to the party
 2262 responsible therefor. A transcript thereof shall
 2263 be filed in the office of the clerk of the district
 2264 court and a judgment entered thereon by him, which
 2265 shall be collected as other judgments.

2266 Sec. 89. Section two hundred ninety point five
 2267 (290.5), Code 1971, is amended by striking the section
 2268 and inserting in lieu thereof the following:

2269 290.5 DECISION OF STATE BOARD. The decision of

2270 the state board shall be final. The state board may
 2271 adopt rules of procedure for hearing appeals which
 2272 shall include the power to delegate the actual hearing
 2273 of the appeal to the superintendent of public
 2274 instruction and members of his staff designated by
 2275 him. The record of appeals so heard shall be reviewed
 2276 by the state board and the decision recommended by
 2277 the superintendent of public instruction shall be

2278 approved by the state board in the manner provided
2279 in section two hundred fifty-seven point ten (257.10),
2280 subsection four (4), of the Code.

2281 Sec. 90. Section two hundred ninety point six
2282 (290.6), Code 1971, is amended to read as follows:
2283 290.6 MONEY JUDGMENT. Nothing in this chapter
2284 shall be so construed as to authorize [either] the
2285 [county superintendent or] state board of public
2286 instruction to render judgment for money; neither
2287 shall they be allowed any other compensation than
2288 is now allowed by law. All necessary postage must
2289 first be paid by the party aggrieved.

2290 Sec. 91. Section two hundred ninety-one point
2291 six (291.6), subsection one (1), Code 1971, is amended
2292 to read as follows:

2293 1. PRESERVATION OF RECORDS. File and preserve
2294 copies of all reports made [to the county
2295 superintendent,] and all papers transmitted [to him]
2296 pertaining to the business of the corporation.

2297 Sec. 92. Section two hundred ninety-one point
2298 ten (291.10), unnumbered paragraph one (1), Code 1971,
2299 is amended to read as follows:

2300 He shall notify the [county] superintendent of *public*
2301 *instruction* when each school is to begin and its
2302 length of term, and, ten days after the regular July
2303 meeting in each year, file with the [county]
2304 superintendent of *public instruction* a report, on
2305 blanks prepared by *him* for that purpose [by the
2306 superintendent of public instruction], showing:

2307 Sec. 93. Section two hundred ninety-one point
2308 eleven (291.11), Code 1971, is amended to read as
2309 follows:

2310 291.11 OFFICERS REPORTED. He shall report to
2311 the [county] superintendent of *public instruction, the*
2312 *county* auditor, and *county* treasurer the name and
2313 post-office address of the president, treasurer, and
2314 secretary of the board as soon as practicable after
2315 the qualification of each.

2316 Sec. 94. Section two hundred ninety-one point
2317 fifteen (291.15), Code 1971, is amended to read as
2318 follows:

2319 291.15 ANNUAL REPORT. He shall make an annual
2320 report to the board at its regular July meeting, which
2321 shall show the amount of the general fund and the
2322 schoolhouse fund held over, received, paid out, and
2323 on hand, the several funds to be separately stated,
2324 and he shall immediately file a copy of this report
2325 with the [county] superintendent of *public instruction*.

2326 Sec. 95. Section two hundred ninety-two point
2327 two (292.2), Code 1971, is amended to read as follows:

2328 292.2 PURCHASE OF BOOKS—DISTRIBUTION. Between
2329 the first Monday of July and the first day of October
2330 in each year, the county [board of education shall
2331 expend] *auditor shall distribute* all money withheld
2332 [by the auditor], as provided in section 292.1, [in] *for*
2333 the purchase of books for the use of the school

2334 district. [The county board of education may distribute
 2335 the books thus purchased to the librarians of the
 2336 several school districts in the proportion that the
 2337 number of persons of school age living in the school
 2338 district bears to the number of such persons living
 2339 in the county, or may entrust the custody of such
 2340 books to the county superintendent of schools to be
 2341 loaned by him to schools of the county in the manner
 2342 of a circulating library, provided that if the
 2343 circulating library method is adopted, in whole or
 2344 in part, any independent district, community district,
 2345 or any consolidated district maintaining a high school
 2346 shall, upon request of its board of directors, be
 2347 excluded therefrom and be allowed its distributive
 2348 share of such books on the basis first above mentioned
 2349 in this section.] *The auditor shall distribute the*
 2350 *funds to the several school districts in the proportion*
 2351 *that the number of persons of school age living in*
 2352 *the district bears to the number of school age persons*
 2353 *living in the county.*

2354 Directors of the school districts having permanent
 2355 libraries shall[, upon approval by the county
 2356 superintendent of schools,] be permitted to make
 2357 temporary and permanent exchanges of books between
 2358 school districts [or to turn books over to the county
 2359 superintendent of schools to become a part of the
 2360 circulating library. The county superintendent shall
 2361 keep a record of all books in his custody.]

2362 Sec. 96. Section two hundred ninety-two point
 2363 four (292.4), Code 1971, is amended to read as follows:

2364 292.4 LISTS OF BOOKS. The state board of
 2365 educational examiners shall prepare annually lists
 2366 of books suitable for use in school district libraries [,
 2367 and furnish copies of such lists to each county
 2368 superintendent and to each member of each county board
 2369 of education] *local school district.*

2370 Sec. 97. Section two hundred ninety-four point
 2371 one (294.1), Code 1971, is amended to read as follows:

2372 294.1 QUALIFICATIONS—COMPENSATION PROHIBITED.

2373 No person shall be employed as a teacher in a common
 2374 school which is to receive its distributive share
 2375 of the school fund without having [a certificate of
 2376 qualification given by the county superintendent of
 2377 the county in which the school is situated, or] a
 2378 certificate [or diploma] issued by some [other] officer
 2379 duly authorized by law.

2380 No compensation shall be recovered by a teacher
 2381 for services rendered while without such certificate
 2382 [or diploma].

2383 Sec. 98. Section two hundred ninety-four point
 2384 five (294.5), Code 1971, is amended to read as follows:

2385 294.5 REPORTS. The teacher shall file with the
 2386 [county superintendent] *school superintendent and the*
 2387 *superintendent of public instruction* such reports
 2388 and in such manner as [he] may be [require] *required.*

2389 Sec. 99. Section two hundred ninety-seven point
2390 eight (297.8), Code 1971, is amended to read as
2391 follows:
2392 297.8 EMERGENCY REPAIRS. When emergency repairs
2393 costing more than [twenty-five hundred] *five thousand*
2394 dollars are necessary in order to prevent the closing
2395 of any school, the provisions of the law with reference
2396 to advertising for bids shall not apply, and in that
2397 event the board may contract for such emergency repairs
2398 without advertising for bids[, provided, however, that
2399 before such emergency repairs can be made to any
2400 schoolhouse, it shall be necessary to procure a
2401 certificate from the county superintendent that such
2402 emergency repairs are necessary to prevent the closing
2403 of such school], *but the repair shall immediately*
2404 *be reported to the state department of public*
2405 *instruction.*

2406 Sec. 100. Section two hundred ninety-seven point
2407 sixteen (297.16), Code 1971, is amended to read as
2408 follows:

2409 297.16 APPRAISERS. In case the school corporation
2410 and said owner of the tract from which such school
2411 site was taken, do not agree as to the value of such
2412 site, the [county superintendent] *chief judge of the*
2413 *judicial district* of the county in which the greater
2414 part of such school corporation is situated, shall,
2415 on the written application of either party, appoint
2416 three disinterested voters of the county *from the*
2417 *list of persons eligible to serve as compensation*
2418 *commissioners* to appraise [said] *the site.*

2419 Sec. 101. Section two hundred ninety-seven point
2420 seventeen (297.17), Code 1971, is amended to read
2421 as follows:

2422 297.17 NOTICE. The county [superintendent] *sheriff*
2423 shall give notice to both parties of the time and
2424 place of making such appraisement, which notice shall
2425 be served in the same manner and for the same time
2426 as for the commencement of action in the district
2427 court.

2428 Sec. 102. Section two hundred ninety-seven point
2429 eighteen (297.18), Code 1971, is amended to read as
2430 follows:

2431 297.18 APPRAISEMENT. Such appraisers shall inspect
2432 the premises and, at the time and place designated
2433 in the notice, appraise said site in writing, which
2434 appraisement, after being duly verified, shall be
2435 filed with the county [superintendent] *sheriff.*

2436 Sec. 103. Section two hundred ninety-seven point
2437 nineteen (297.19), Code 1971, is amended to read as
2438 follows:

2439 297.19 PUBLIC SALE. If the owner of the tract
2440 from which said site was taken fails to pay the amount
2441 of such appraisement to such school corporation within
2442 twenty days after the filing of same with the county
2443 [superintendent] *sheriff*, the school corporation may

2444 sell said site to any other person at the appraised
2445 value, or may sell the same at public sale to the
2446 highest bidder.

2447 Sec. 104. Section two hundred ninety-seven point
2448 twenty-two (297.22), unnumbered paragraph four (4),
2449 Code 1971, is amended to read as follows:

2450 Before the board of directors may sell, lease or
2451 dispose of any property belonging to the school
2452 corporation it shall comply with the requirements
2453 set forth in sections 297.15 to 297.20, inclusive
2454 and sections 297.23 and 297.24. Any real estate
2455 proposed to be sold shall be appraised by three
2456 disinterested freeholders residing in the school
2457 district and appointed by the [county superintendent
2458 of schools] *chief judge of the judicial district of*
2459 *the county in which said real estate is located from*
2460 *the list of compensation commissioners.*

2461 Sec. 105. Section two hundred ninety-seven point
2462 twenty-eight (297.28), Code 1971, is amended to read
2463 as follows:

2464 297.28 APPRAISERS. In case the executive council
2465 and said owner of the tract from which such school
2466 site was taken, do not agree as to the value of such
2467 site or building, the [county superintendent] *chief*
2468 *judge of the judicial district* of the county in which
2469 the greater part of such school site is situated,
2470 shall, on the written application of either party,
2471 appoint three disinterested voters of the county *from*
2472 *the list of compensation commissioners* to appraise
2473 such site. The county [superintendent] *sheriff* shall
2474 give notice to both parties of the time and place
2475 of making such appraisal, which notice shall be
2476 served in the same manner and for the same time as
2477 for the commencement of an action in the district
2478 court.

2479 Sec. 106. Section two hundred ninety-seven point
2480 twenty-nine (297.29), Code 1971, is amended to read
2481 as follows:

2482 297.29 REPORT FILED. Such appraisers shall inspect
2483 the premises and at the time and place designated
2484 in the notice, appraise such site or building in
2485 writing, which appraisal, after being duly verified,
2486 shall be filed with the county [superintendent] *sheriff*.

2487 Sec. 107. Section two hundred ninety-seven point
2488 thirty (297.30), Code 1971, is amended to read as
2489 follows:

2490 297.30 PUBLIC SALE. If the owner of the tract
2491 from which said site was taken fails to pay the amount
2492 of such appraisal to such executive council within
2493 thirty days after the filing of the same with the
2494 county [superintendent] *sheriff*, the executive council
2495 may sell said site or building to any other person
2496 at the appraised value, or may sell the same at public
2497 sale to the highest bidder and the proceeds of such
2498 sale are to be added to the permanent school fund

2499 of the state.

2500 Sec. 108. Section two hundred ninety-eight point
2501 eleven (298.11), unnumbered paragraph one (1), Code
2502 1971, is amended to read as follows:

2503 The county auditor shall, on the first Monday in
2504 April and the first Monday in October of each year,
2505 apportion the school tax, together with the interest
2506 of the permanent school fund and rents on unsold
2507 school lands to which the county is entitled as shown
2508 in notice from the state comptroller, and all other
2509 money in the hands of the county treasurer belonging
2510 in common to the schools of the county and not included
2511 in any previous apportionment, among the several
2512 corporations therein, in proportion to the number
2513 of persons of school age, as shown by the [report of
2514 the county superintendent filed with him] *reports filed*
2515 *with the state department of public instruction* for
2516 the year immediately preceding.

2517 Sec. 109. Section two hundred ninety-nine point
2518 three (299.3), Code 1971, is amended to read as
2519 follows:

2520 **299.3 REPORTS FROM PRIVATE SCHOOLS.** Within ten
2521 days from receipt of notice from the secretary of
2522 the school corporation within which any private school
2523 is conducted, the principal of such school shall,
2524 once during each school year, and at any time when
2525 requested in individual cases, furnish to such
2526 secretary a certificate and report in duplicate of
2527 the names, ages, and number of days attendance of
2528 each pupil of such school over seven and under sixteen
2529 years of age, the course of study pursued by each
2530 such child, the texts used, and the names of the
2531 teachers, during the preceding year and from the time
2532 of the last preceding report to the time at which
2533 a report is required. The secretary shall retain
2534 one of the reports and file the other [in the office
2535 of the county superintendent] *with the state department*
2536 *of public instruction.*

2537 Sec. 110. Section two hundred ninety-nine point
2538 twelve (299.12), Code 1971, is amended to read as
2539 follows:

2540 **299.12 NEGLECT BY TRUANCY OFFICER.** Any truancy
2541 officer or any director neglecting his duty to enforce
2542 the truancy law after written notice so to do served
2543 upon him by any citizen of the county [or by the county
2544 superintendent] shall be liable to a fine not exceeding
2545 twenty-five dollars and be removed from such office.
2546 [The county attorney shall prosecute such persons upon
2547 request of the county superintendent.] *It shall be*
2548 *the duty of the county attorney to prosecute such*
2549 *persons upon the official complaint of any citizen*
2550 *of the county.*

2551 Sec. 111. Section three hundred one point five
2552 (301.5), Code 1971, is amended to read as follows:

2553 **301.5 PURCHASE—EXCHANGE.** In the purchasing of

2554 textbooks it shall be the duty of the board of
 2555 **directors [or the county board of education] to take**
 2556 into consideration the books then in use in the
 2557 respective districts, and they may buy such additional
 2558 number of said books as may from time to time become
 2559 necessary to supply their schools, and they may arrange
 2560 on equitable terms for exchange of books in use for
 2561 new books adopted.

2562 Sec. 112. Section three hundred one point six
 2563 (301.6), Code 1971, is amended to read as follows:
 2564 301.6 **SUIT ON BOND.** If at any time the publishers
 2565 of such books as shall have been adopted by any board
 2566 of directors [or county board of education] shall neglect
 2567 or refuse to furnish such books when ordered by said
 2568 board in accordance with the provisions of this
 2569 chapter, at the very lowest price, either contract
 2570 or wholesale, that such books are furnished any other
 2571 district or state board, then said board of direc-
 2572 tors [or county board of education] may and it is hereby
 2573 made their duty to bring suit upon the bond given
 2574 them by the contracting publisher.

2575 Sec. 113. Section three hundred one point seven
 2576 (301.7), Code 1971, is amended to read as follows:
 2577 301.7 **BIDS—ADVERTISEMENTS.** Before purchasing
 2578 textbooks from a source other than the publisher and
 2579 before purchasing supplies under the provisions of
 2580 this chapter, it shall be the duty of the board of
 2581 directors[, or county board of education,] to advertise,
 2582 by publishing a notice once each week for two
 2583 consecutive weeks in one or more newspapers published
 2584 in the county; said notice shall state the time up
 2585 to which all bids will be received, the classes and
 2586 grades for which textbooks and other necessary supplies
 2587 are to be bought, and the approximate quantity needed.

2588 Sec. 114. Section three hundred one point ten
 2589 (301.10), Code 1971, is amended to read as follows:
 2590 301.10 **SAMPLES AND LISTS.** Any person or firm
 2591 desiring to furnish books or supplies under this
 2592 chapter [in any county] shall, at or before the time
 2593 of filing his bid hereunder, [deposit in the office
 2594 of the county superintendent] *make available* samples
 2595 of all textbooks included in his bid, accompanied
 2596 with lists giving the lowest wholesale and contract
 2597 prices for the same. [Said samples and lists shall
 2598 remain in the county superintendent's office, and
 2599 shall be delivered by him to his successor in office
 2600 and shall be kept by him in such safe and convenient
 2601 manner as to be open at all times to the inspection
 2602 of such school officers, school patrons, and school
 2603 teachers as may desire to examine the same and compare
 2604 them with others, for the purpose of use in the public
 2605 schools.]

2606 Sec. 115. Section three hundred one point eleven
 2607 (301.11), Code 1971, is amended to read as follows:
 2608 301.11 **BOND.** The board of directors [and county

2609 board of education mentioned] shall require any person
 2610 or persons with whom they contract for furnishing
 2611 any books or supplies to enter into a good and
 2612 sufficient bond, in such sum and with such conditions
 2613 and sureties as may be required by such board of
 2614 directors [or county board of education,] for the
 2615 faithful performance of any such contract. Bonds
 2616 of surety companies duly authorized under the laws
 2617 of Iowa shall be accepted.

2618 Sec. 116. Section three hundred one point twenty-
 2619 eight (301.28), Code 1971, is amended to read as
 2620 follows:

2621 301.28 OFFICERS AND TEACHERS AS AGENTS FOR
 BOOKS

2622 AND SUPPLIES. It shall be unlawful for any school
 2623 director, *officer, or teacher*[, or member of the county
 2624 board of education] to act as agent for any school
 2625 textbooks or school supplies during such term of
 2626 office or employment, and any school director, officer,
 2627 *or teacher*, [or member of the county board of education]
 2628 who shall act as agent or dealer in school textbooks
 2629 or school supplies, during the term of such office
 2630 or employment, shall be deemed guilty of a misdemeanor,
 2631 and shall, upon conviction thereof, be fined not
 2632 less than ten dollars nor more than one hundred
 2633 dollars, and pay the costs of prosecution.

2634 Sec. 117. Section three hundred thirty-two point
 2635 nine (332.9), Code 1971, is amended to read as follows:

2636 332.9 OFFICES FURNISHED. The board of supervisors
 2637 shall furnish the clerk of the district court, sheriff,
 2638 recorder, treasurer, auditor, county attorney, [county
 2639 superintendent,] county surveyor or engineer, and
 2640 county assessor, with offices at the county seat,
 2641 but in no case shall any such officer, except the
 2642 county attorney, be permitted to occupy an office
 2643 also occupied by a practicing attorney.

2644 Sec. 118. Section three hundred forty-nine point
 2645 sixteen (349.16), subsection one (1), Code 1971, is
 2646 amended to read as follows:

2647 1. The proceedings of the board of supervisors,
 2648 excluding from the publication of said proceedings,
 2649 its canvass of the various elections, as provided
 2650 by law; witness fees of witnesses before the grand
 2651 jury and in the district court in criminal cases;
 2652 the transcripts of justices of the peace, including
 2653 their proceedings and cost[, the county superintendent's
 2654 report].

2655 Sec. 119. Section four hundred forty-one point
 2656 two (441.2), Code 1971, is amended to read as follows:

2657 441.2 CONFERENCE BOARD. In each county and each
 2658 city having an assessor there shall be established
 2659 a conference board. In counties the conference board
 2660 shall consist of the mayors of all incorporated cities
 2661 and towns in the county whose property is assessed
 2662 by the county assessor, [members of the county boards
 2663 of education as now or hereafter constituted] *the*

2664 *presidents of the boards of directors of school*
 2665 *districts which have the major portion of their*
 2666 *districts located within the county, and members of*
 2667 *the board of supervisors. In cities having an assessor*
 2668 *the conference board shall consist of the members*
 2669 *of the city council, school board and county board*
 2670 *of supervisors. In the counties the chairman of the*
 2671 *board of supervisors shall act as chairman of the*
 2672 *conference board, in cities having an assessor the*
 2673 *mayor of the city council shall act as chairman of*
 2674 *the conference board. In any action taken by the*
 2675 *conference board, the mayors of all incorporated*
 2676 *cities and towns in the county whose property is*
 2677 *assessed by the county assessor shall constitute one*
 2678 *voting unit, the members of the [county or] city board*
 2679 *of education or the presidents of the boards of*
 2680 *directors of the school districts shall constitute*
 2681 *one voting unit, the members of the city council shall*
 2682 *constitute one voting unit, and the county board of*
 2683 *supervisors shall constitute one voting unit, each*
 2684 *unit having a single vote and no action shall be valid*
 2685 *except by the vote of not less than two out of the*
 2686 *three units. The majority vote of the members present*
 2687 *of each unit shall determine the vote of the unit.*
 2688 *The assessor shall be clerk of the conference board.*
 2689 *Sec. 120. Section four hundred sixty-seven B point*
 2690 *fourteen (467B.14), Code 1971, is amended to read*
 2691 *as follows:*
 2692 **467B.14. ALLOCATION [TO COUNTY BOARD OF**

FUND]. Sixty-five percent of any such payments or
 2694 payment received from the federal government shall
 2695 be [credited to the county board of education fund
 2696 as created by section 273.13 and the county board
 2697 of education shall determine the districts of the
 2698 county which are principally affected in their activi-
 2699 ties by the federal flood control project involved
 2700 and shall allocate to the general fund of each said
 2701 school district the amount of such federal payments
 2702 paid to the county board of education fund] *distributed*
 2703 *to the general fund of the school districts of the*
 2704 *county after the county auditor has determined the*
 2705 *districts which are principally affected by the federal*
 2706 *flood control project involved in an amount deemed*
 2707 *to be the equitable share of each such district and*
 2708 *the amount allocated to each school district shall*
 2709 *be paid over [by the county board of education] to the*
 2710 *treasurer of such school district.*
 2711 *The county [board of education] auditor shall certify*
 2712 *to the executive council of the state the amounts*
 2713 *allocated to each school district in the previous*
 2714 *year, on January second of the following year. The*
 2715 *executive council of the state shall deduct this*
 2716 *amount from any tax free land reimbursement claim*
 2717 *filed that year under section 284.4; except that in*
 2718 *no case shall the deduction result in an amount less*

2719 than the total of the tax free land reimbursement
 2720 plus any benefits payable to the school district other
 2721 than the amounts specified in this paragraph. The
 2722 remaining ten percent of any such payment received
 2723 by the county treasurer from the federal government,
 2724 or so much thereof as may be deemed necessary by
 2725 the board of supervisors, shall be allocated to the
 2726 local fire departments of the unincorporated villages,
 2727 towns, townships and cities of the county which are
 2728 principally affected by the federal flood control
 2729 project involved, to be paid and prorated among them
 2730 as determined by the board of supervisors. If the
 2731 fund prorated to local fire departments in any county
 2732 are less than ten percent of the total county share
 2733 of such federal payments for any year, the amount
 2734 which exceeds such prorations shall revert back to
 2735 and be divided equally between the secondary road
 2736 fund and the [county board of education] *local school*
 2737 *district fund*.

2738 Sec. 121. Sections two hundred sixty point eighteen
 2739 (260.18), two hundred sixty point twenty (260.20),
 2740 two hundred sixty point twenty-two (260.22), two
 2741 hundred seventy-four point forty-two (274.42), two
 2742 hundred seventy-four point forty-three (274.43), two
 2743 hundred seventy-four point forty-four (274.44), two
 2744 hundred seventy-four point forty-five (274.45), two
 2745 hundred seventy-four point forty-six (274.46), two
 2746 hundred seventy-five point two (275.2), two hundred
 2747 seventy-five point three (275.3), two hundred seventy-
 2748 five point four (275.4), two hundred seventy-five
 2749 point eight (275.8), two hundred seventy-five point
 2750 nine (275.9), two hundred seventy-five point sixteen
 2751 (275.16), two hundred seventy-five point forty
 2752 (275.40), two hundred seventy-nine point thirty-six
 2753 (279.36), two hundred eighty A point fifteen (280A.15),
 2754 two hundred eighty-one point nine (281.9), two hundred
 2755 ninety-two point three (292.3), three hundred one
 2756 point nineteen (301.19), and three hundred one point
 2757 twenty (301.20), and chapters two hundred seventy-
 2758 two (272) and two hundred seventy-three (273), Code
 2759 1971, and chapter forty-eight (48), Acts of the Sixty-
 2760 fourth General Assembly, First Session, are repealed.

2761 2. Amend the title, page 1, line 1, by inserting
 2762 after the word "system" the words "and to provide
 2763 educational services through the merged areas".

GRASSLEY of Butler
 STROMER of Hancock
 VARLEY of Adair
 MAYBERRY of Webster
 RODGERS of Dallas
 REX of Hamilton
 FREEMAN of Buena Vista
 WAUGH of Monona
 WELLS of Linn
 DUNTON of Keokuk

1 Amend House File 291, page 2, by inserting
2 after line 26 the following new sections:
3 Sec. 6. Chapter two hundred eighty A (280A),
4 Code 1971, is amended by adding the following new
5 sections:

6 1. No later than July 1, 1974 all territory
7 in the state shall be included in a joint county
8 system formed by the merger of at least three
9 county school systems, except that a joint county
10 system may be formed by the merger of two county
11 school systems if the total combined average
12 daily membership for the preceding school year
13 of public and nonpublic schools in the two
14 county school systems exceeds twenty thousand
15 pupils in grades kindergarten through twelve.
16 Mergers shall be effected pursuant to the pro-
17 visions of sections two hundred seventy-three
18 point twenty-two (273.22) and two hundred seventy-
19 three point twenty-three (273.23) of the Code.

20 2. The state board of public instruction
21 at its meeting on January 3, 1975 shall attach
22 any county or joint county system not meeting
23 the requirements of section two (2) of this Act
24 to an adjacent joint county system which meets the
25 requirements of section two (2) of this Act.

26 Sec. 7. Section two hundred seventy-three
27 point thirteen (273.13), subsection ten (10),
28 Code 1971, is amended to read as follows:

29 10. At the regular or special meeting held
30 between July 1 and July 15, consider the budget
31 as submitted by the county superintendent, and
32 certify to the county auditor the estimates of
33 the amounts needed. Such estimates shall follow
34 the budget procedures under chapter 24. The
35 boards or board of supervisors of the county or
36 counties, territory which comprises the territory
37 of the county school system, shall levy a tax on
38 all the taxable property in the county school
39 system for the amount certified. *After July 1,*
40 *1974 the property tax levy shall not exceed*
41 *three and one-half mills for a joint county*
42 *system.*

EWELL of Black Hawk

1 Amend the Senate amendment to House File 734
2 by striking all of lines 242 through 246 and insert
3 in lieu thereof the following:

4 2. Signs, displays and devices advertising
5 activities conducted on the property on which they
6 are located. Such advertised activities shall not
7 be construed to mean activities which are merely
8 ancillary to the primary advertising activities;
9 neither shall the property upon which they are
10 located be construed to mean located upon any

11 contiguous area having inconsistent use, size, shape
12 or ownership.

LARSON of Story
EGENES of Story
UBAN of Black Hawk

1 Amend the Senate amendment to House File 734
2 by striking from lines 168 and 169 the following
3 words "and within six hundred and sixty
4 feet of the nearest edge of".

UBAN of Black Hawk
LARSON of Story

1 Amend House File 1068 as follows:
2 1. Page 2, by striking lines 18 through 30 and
3 inserting in lieu thereof the following:
4 "Sec. 4. TRANSPORTATION COMMISSION. There is
5 created a transportation commission composed of six
6 elected members and one member appointed by and serv-
7 ing at the pleasure of the governor.
8 The state is divided into six transportation com-
9 mission districts. The boundaries of the districts
10 shall be centerminous with the six congressional dis-
11 tricts as they exist for elections to be held in the
12 year 1972. One member shall be elected by the voters
13 of each district of the state on a nonpartisan basis
14 in the manner provided for state officials. An elected
15 member of the commission shall hold office for a term
16 of four years and until his successor is elected and
17 qualifies, except that a member chosen from an even-
18 numbered district at the general election in 1972
19 shall hold office for a term of two years and until
20 his successor is elected and qualifies."
21 2. Page 2, line 31, by inserting after the comma
22 the words "the following persons may be elected or".
23 3. Page 2, line 34, by striking the words "to
24 the" and inserting in lieu thereof the words "as the
25 appointed member of the".
26 4. Page 3, by striking lines 5 through 16 and
27 inserting in lieu thereof the following:
28 "Sec. 5. VACANCIES. Any vacancy on the commis-
29 sion shall be filled by appointment by the governor.
30 A person appointed to fill a vacancy shall serve un-
31 til his successor is elected and qualifies."

TAYLOR of Dubuque

1 Amend House File 1156, page 4, by inserting after
2 line 23 the following new subsection:
3 "16. Cause a suitable medallion to be designed,
4 manufactured and sold to the public at a price to be
5 determined by the authority. The proceeds from the
6 sale of the medallion shall be disposed of as provided
7 in section eight (8) of this Act."

SCOTT of Cerro Gordo

1 Amend House File 1247 as follows:

2 1. Page 2, line 2, by striking the word "educa-
3 tional" and inserting in lieu thereof the word "pub-
4 lic".

5 2. Page 2, line 6, by striking the word "educa-
6 tional" and inserting in lieu thereof the word "pub-
7 lic".

8 3. Page 2, line 20, by striking the word "educa-
9 tional" and inserting in lieu thereof the word "pub-
10 lic".

11 4. Page 2, line 25, by striking the word "educa-
12 tional" and inserting in lieu thereof the word "pub-
13 lic".

14 5. Page 2, line 30, by striking the word "educa-
15 tional" and inserting in lieu thereof the word "pub-
16 lic".

17 6. Page 3, line 1, by striking the word "educa-
18 tional" and inserting in lieu thereof the word "pub-
19 lic".

20 7. Page 3, line 5, by striking the word "educa-
21 tional" and inserting in lieu thereof the word "pub-
22 lic".

23 8. Page 3, line 19, by striking the word "educa-
24 tional" and inserting in lieu thereof the word "pub-
25 lic".

26 9. Page 3, by adding after line 25 the following
27 new sections:

28 1. "Sec. Section eight A point one (8A.1),
29 Code 1971, is amended to read as follows:

30 8A.1 PURPOSE. It is the intent of the general
31 assembly in providing for state communications, that
32 [an educational] *a public* radio and television facility,
33 including provision for closed circuit television,
34 be established to serve the entire state, and that
35 communications of state government be co-ordinated
36 to effect maximum practical consolidation and joint
37 use of communications services."

38 2. "Sec. Section eight A point two (8A.2),
39 subsections four (4) and five (5), Code 1971, are
40 amended to read as follows:

41 4. "Radio and television facility" means transmit-
42 ters, towers, studios, and all necessary associated
43 equipment for [educational] *public* broadcasting.

44 5. "Board" means the [educational] *public* radio
45 and television facility board.

46 3. "Sec. Section eight A point four (8A.4),
47 unnumbered paragraph four (4), Code 1971, as amended
48 by chapter eighty-four (84), section seventeen (17),
49 Acts of the Sixty-fourth General Assembly, First Ses-
50 sion, is amended to read as follows:

51 The communications division and the state [educa-
52 tional] *public* radio and television facility board
53 shall coordinate their activities to achieve the maxi-
54 mum possible cooperation and effective use of the
55 available facilities."

56 4. "Sec. Section eight A point five (8A.5),
57 subsection seven (7), Code 1971, is amended to read
58 as follows:

59 7. The chairman of the state [educational] *pub-*
60 *lic* radio and television facility board."

61 5. "Sec. Section eight A point six (8A.6),
62 Code 1971, is amended to read as follows:

63 8A.6 [EDUCATIONAL] **PUBLIC FACILITY BOARD**
CREATED.

64 There is hereby created a state [educational] *public*
65 radio and television facility board for the purpose
66 of planning, establishing, and operating [an educational]
67 *a public* radio and television facility and such other
68 communications services as may prove necessary in
69 aid of the accomplishment of the [educational] *public*
70 objectives of this state."

71 6. "Sec. Section eight A point thirteen
72 (8A.13), subsection two (2), Code 1971, is amended
73 to read as follows:

74 2. Advisory committee on curricula and [educa-
75 tional] *public* matters."

76 7. "Sec. Section eight A point fifteen

77 (8A.15), Code 1971, is amended to read as follows:

78 8A.15 **PURCHASE OR LEASE OF PROPERTY.** The board
79 shall have power to purchase or lease property, equip-
80 ment, and services and to improve same for proper
81 [educational] *public* communications uses, and to dispose
82 of property and equipment when not necessary for their
83 purposes."

84 8. "Sec. Section eight A point eighteen
85 (8A.18), Code 1971, as amended by chapter eighty-four
86 (84), section twenty-one (21), Acts of the Sixty-
87 fourth General Assembly, First Session, is amended
88 to read as follows:

89 8A.18 **DIRECTOR [EDUCATIONAL] PUBLIC FACILITIES.**

90 The board shall appoint [an educational] *a public*
91 facilities director who shall not be included in the
92 Iowa merit system and fix his compensation if it is
93 not otherwise provided by law. All appointments of
94 personnel needed to administer this chapter shall
95 be without reference to political party affiliation,
96 religious beliefs, sex, marital status, race, color,
97 or national origin. The total amount of compensation
98 for employees shall be subject to the limitation of
99 the appropriation and other funds lawfully available."

100 9. "Sec. Section eight A point nineteen

101 (8A.19), Code 1971, is amended to read as follows:

102 8A.19 **LOCAL BOARDS.** Nothing in this chapter shall
103 prohibit local boards of education from owning, operat-
104 ing, improving and maintaining [educational] *public*
105 radio and television stations and transmitters now
106 in existence and operation. Local boards of education
107 are hereby empowered and authorized to enter into
108 such agreements with the state [educational] *public*
109 radio and television facility board as are contemplated

110 in section 8A.15.”

111 10. “Sec. Section eight A point twenty-one
112 (8A.21), Code 1971, is amended to read as follows:

113 8A.21 LOCATION OF FACILITIES. The state [educa-
114 tional] *public* radio and television facility board
115 may locate its administrative offices and production
116 facilities outside the city of Des Moines, Iowa, and
117 on land acquired by the board from the Area XI Com-
118 munity College at Ankeny, Iowa.”

119 11. “Sec. Section eight A point twenty
120 (8A.20), Code 1971, is repealed.”

121 12. “Sec. Chapter forty-nine (49), sections
122 one (1), two (2), three (3), and four (4), Acts of
123 the Sixty-fourth General Assembly, First Session,
124 are amended as follows:

125 Section 1. There is appropriated from the general
126 fund of the state to the [educational] *public* radio
127 and television facility board for each fiscal year
128 of the biennium beginning July 1, 1971 and ending
129 June 30, 1973, the following amounts, or so much
130 thereof as may be necessary, to be used for the
131 purposes designated:

	1971-72	1972-73
	<i>Fiscal Year</i>	<i>Fiscal Year</i>
134	[EDUCATIONAL] <i>PUBLIC</i> RADIO AND TELEVISION FA-	
		CILITY

135 BOARD.

136 1. For salaries, support, maintenance, and
137 miscellaneous purposes:\$987,070.00 \$1,039,500.00

138 2. To liquidate four lease-to-own contracts
139 for videotape recorders and studio cameras:
140\$270,000.00 —

141 Sec. 2. There is appropriated from the general
142 fund of the state to the [educational] *public* radio
143 and television facility board for the fiscal biennium
144 commencing July 1, 1971 and ending June 30, 1973,
145 the sum of thirty-two thousand five hundred (32,500)
146 dollars, or so much thereof as may be necessary, for
147 the acquisition and operation of equipment to be made
148 available by the Black Hawk broadcasting company.

149 Sec. 3. The [educational] *public* radio and television
150 facility board, the governor, and the state comptroller
151 may accept federal or private grants to the state
152 or accept as a gift any facilities or real property
153 to be used in connection with the funds appropriated
154 by this Act.

155 Sec. 4. Notwithstanding the provisions of section
156 eight point thirty-three (8.33) of the Code, all unen-
157 cumbered or unobligated balances of appropriations
158 made by section one (1) of this Act for the first
159 fiscal year of the biennium commencing July 1, 1971
160 shall, on September 30, 1972, revert to the state
161 treasury and to the credit of the fund from which
162 appropriated. The [educational] *public* radio and
163 television facility board may make application to

164 the committees on appropriations for the
 165 reappropriation of any funds that do revert, or
 166 probably will revert upon the dates herein set and
 167 the respective committees on appropriations or a
 168 subcommittee thereof shall hold a hearing upon the
 169 application while the general assembly is in regular
 170 session. In all other respects the provisions of
 171 section eight point thirty-three (8.33) of the Code
 172 shall apply to appropriations made for the first
 173 fiscal year of such biennium. Unencumbered or
 174 unobligated balances of appropriations made for the
 175 second fiscal year of such biennium shall be subject
 176 to section eight point thirty-three (8.33) of the
 177 Code."

178 13. "Sec. Chapter 2, Section 1, subsection
 179 55, Acts of the Sixty-fourth General Assembly,
 180 First Session, is amended to read as follows:

181 55. [Educational] *Public* radio and television
 182 facility board.

183 Salary of the director not

184 exceeding: \$19,500.00 \$19,500.00

185 10. Page 1, amend the title by striking from line
 186 1 the word "educational" and inserting in lieu thereof
 187 the word "public" and by inserting in line 3 after
 188 the word "improvements" the words "and providing for
 189 the proper designation of such board".

RADL of Linn

On motion by Varley of Adair, the House adjourned until 9:00
 a.m., Friday, February 25, 1972.

JOURNAL OF THE HOUSE

Forty-seventh Calendar Day—Thirty-fifth Session Day

HALL OF THE HOUSE OF REPRESENTATIVES
DES MOINES, IOWA, FRIDAY, FEBRUARY 25, 1972

The House met pursuant to adjournment, Speaker Harbor in the chair.

Prayer was offered by the Reverend Wayne Bartruff, pastor of the Collegiate United Methodist Church, Ames, Iowa.

The Journal of Thursday, February 24, 1972, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. M. U. Broers, Schleswig, Iowa.

ANNIVERSARY CONGRATULATIONS

Andersen of Woodbury rose on a point of personal privilege and on behalf of the House extended wedding anniversary congratulations to the Honorable Irvin L. Bergman and Mrs. Bergman.

BIRTHDAY CONGRATULATIONS

Hill of Polk rose on a point of personal privilege and on behalf of the House extended to the Honorable Daniel L. Bray, Jr., a "Happy Birthday."

PRESENTATION OF VISITORS

Welden of Hardin presented to the House the Honorable Don MacManus, State Senator from the State of Colorado.

Taylor of Dubuque presented to the House Kevin Schwendinger, his nephew and godchild, who attends school at Monticello High School, Monticello, Iowa.

The Speaker announced that the following visitors were present in the House chamber:

Boy Scout Troop No. 40 sponsored by the Mount Vernon Methodist Church, Mount Vernon, Iowa, accompanied by Charles A. Kretschmer and six Cub Scouts from Walker, Iowa, Troop 501,

accompanied by Sally Sherman and Irene Freeman. By Radl of Linn.

One hundred twenty senior students from Monticello High School, Monticello, Iowa, accompanied by Paul Denny. By McCormick of Delaware.

Four Boy Scouts from Humboldt, Iowa, Scott Slaiken, Jim Pitman, Dick Seiler, Mark McArthur. By Priebe of Kossuth.

Ninety fifth grade students from Rex Mathis Elementary School, West Des Moines, Iowa, accompanied by Mavis Olson. By Alt of Polk.

Thirty sixth grade students from Madison School, Des Moines, Iowa, accompanied by Mrs. Vance. By Bennett of Polk.

PETITIONS FILED

The following petitions were received and placed on file:

By Nielsen of Shelby from six petitioners of Harrison County asking that wages of county officers be raised.

By Mendenhall of Allamakee from one thousand nine hundred seventy-three residents of Allamakee County favoring House File 1247, relating to an appropriation to the educational radio and television facility board for the purpose of making capital improvements.

ADOPTION OF COMMITTEE REPORTS

The Chief Clerk announced the adoption of reports of committees on House File 1205 and Senate Files 1019 and 1087, under Rule 35.

INTRODUCTION OF BILLS

House File 1256, by committee on transportation, a bill for an act to create a state transportation planning commission.

Read first time and placed on the calendar.

House File 1257, by committee on ways and means, a bill for an act relating to urban renewal projects and bonds.

Read first time and placed on the calendar.

House File 1258, by committee on transportation, a bill for an act to amend chapter 183, Acts of the Sixty-fourth General

Assembly relating to motor vehicle inspection to extend the time within which a vehicle failing inspection must be repaired, to require inspection upon the transfer of a motor vehicle, to lengthen the period within which a motor vehicle must be inspected prior to transfer, and to permit the regrooving of specially designed tires.

Read first time and placed on the calendar.

House File 1259, by committee on transportation, a bill for an act relating to the use of motor vehicle "registration applied for" cards.

Read first time and placed on the calendar.

House File 1260, by committee on judiciary, a bill for an act relating to exemptions from execution and providing penalties.

Read first time and placed on the calendar.

House File 1261, by committee on law enforcement, a bill for an act providing that rules and regulations of the fire marshal shall apply to child care facilities, motels, and apartment houses.

Read first time and placed on the calendar.

House File 1262, by committee on law enforcement, a bill for an act relating to rules and regulations of the department of public safety on suspension and restriction of licenses.

Read first time and placed on the calendar.

House File 1263, by committee on county government, a bill for an act to prohibit the publishing of the names of county relief recipients and to provide penalties.

Read first time and placed on the calendar.

SENATE MESSAGE CONSIDERED

Senate File 1148, a bill for an act relating to the civil rights of physically and mentally handicapped persons.

Read first time and referred to committee on state government.

RULING BY THE SPEAKER ON SENATE FILE 428

Concerning the inquiry made by the Gentleman from Webster, Mr. Cochran, involving Senate File 428, the Chair rules that all parliamentary procedures have been complied with.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File 1120, a bill for an act relating to the notification of adjustment of real property assessments.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File 185, a bill for an act relating to combining the present county fund for mental health with the state institution fund.

Also: That the Senate has adopted the following concurrent resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 112, expressing gratitude to the University of Iowa for its many contributions and extending congratulations on its one hundred twenty-fifth anniversary.

CARROLL A. LANE, Secretary

SENATE AMENDMENT TO HOUSE FILE 1120

- 1 Amend House File 1120, line 16, by striking the words
- 2 "March fifteenth" and inserting in lieu thereof the words
- 3 "April first".

HOUSE CONCURRENT RESOLUTION 119

By Camp and Varley

Whereas, concern has been expressed regarding the adequacy of salaries being paid to elective and appointive state officials; and

Whereas, there does not exist sufficient time during the sessions of the General Assembly to determine if salaries being paid to elective and appointive state officials are competitive with salaries being paid by other states, the federal government, and private enterprise; and

Whereas, the First Session of the Sixty-fifth General Assembly will be required to make appropriations and establish salaries for elective and appointive state officials and it is necessary to determine prior to the commencing of the First Session of the Sixty-fifth General Assembly appropriate salary levels in order to properly develop a state budget; and

Whereas, there may be a reluctance by persons to seek elective or appointive state offices or remain in office because of salary levels presently established; and

Whereas, a comprehensive study regarding salaries of elective and appointive state officials has not been undertaken recently, *Now Therefore*,

Be It Resolved by the House of Representatives, the Senate Concurring, That a subcommittee be created for the purpose of studying the existing salary levels of elective and appointive state officials in order to determine if such salaries are competitive with salary levels paid by other states, the federal government, and private enterprise; and

Be It Further Resolved, That the subcommittee shall consist of four members of the committees on appropriations of each house of the general assembly, representing both political parties, recommended by the respective

committee chairmen and approved by the legislative council and that per diem and expenses of the subcommittee, including expenses needed for the employment of technical personnel that may be required, shall be approved by the legislative council and paid from funds available to the general assembly; and

Be It Further Resolved, That the subcommittee shall make a report of its recommendations to the committees on appropriations by January 31, 1973, which recommendations shall be accompanied by any bill drafts necessary to carry out such recommendations.

Laid over under Rule 25.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 103

Lipsky of Linn called up for consideration **House Concurrent Resolution 103** filed on January 13, 1972, and found on pages 50 and 51 of the House Journal.

Varley of Adair moved the previous question on House Concurrent Resolution 103.

A non-record roll call was requested.

The ayes were 51, nays 35.

The motion having failed to receive a three-fifths majority lost.

Kreamer of Polk offered the following amendment from the floor and moved its adoption:

Amend House Concurrent Resolution 103 as follows:
By striking from line 24 the words "penal statutes,".

The amendment was adopted.

Christensen of Union moved that House Concurrent Resolution 103 be deferred.

Roll call was requested by Lipsky of Linn and Franklin of Polk.

Rule 70 was invoked.

On the question "Shall House Concurrent Resolution 103 be deferred?"

The ayes were, 36:

Camp	Hamilton	McCormick	Stokes
Christensen	Hansen	Mendenhall	Strand
Cochran	Husak	Middleswart	Strothman
Den Herder	Kelly	Moffitt	Taylor
Doyle	Kinley	Norpel	Tieden
Drake	Knoblauch	Pellett	Waugh
Edelen	Kreamer	Radl	Welden
Fisher, C. R.	Kruse	Roorda	Winkelman
Freeman	Logemann	Sorg	Wyckoff

The nays were, 50:

Alt	Franklin	Menefee	Schwieger
Anania	Gluba	Millen	Scott
Andersen	Grassley	Miller	Shaw
Bennett	Hill	Monroe	Siglin
Bergman	Jesse	Patton	Small
Blouin	Johnston	Pierson	Stanley
Bray	Kehe	Priebe	Trowbridge
Clark	Knoke	Rex	Uban
Curtis	Larson	Rodgers	Varley
Dougherty	Lawson	Sargisson	Wells
Dunton	Lipsky	Schmeiser	Willits
Ellsworth	Mayberry	Schwartz	Mr. Speaker
Fischer, H. O.	McElroy		

Absent or not voting, 14:

Campbell	Holden	Nystrom	Skinner
Egenes	Kennedy	Pelton	Stromer
Ewell	Mollett	Schroeder	Wirtz
Goode	Nielsen		

The motion lost.

Speaker pro tempore Millen in the chair at 10:22 a.m.

Lipsky of Linn moved the adoption of House Concurrent Resolution 103 as amended.

Roll call was requested by Lipsky of Linn and Franklin of Polk.

Rule 70 was invoked.

On the question "Shall the resolution as amended be adopted?"

The ayes were, 53:

Alt	Gluba	Lipsky	Schwartz
Anania	Hansen	Mayberry	Schwieger
Andersen	Harbor	McElroy	Scott
Bennett	Hill	Menefee	Shaw
Blouin	Holden	Middlewart	Siglin
Bray	Jesse	Miller	Small
Clark	Johnston	Moffitt	Stanley
Cochran	Kehe	Patton	Trowbridge
Curtis	Knoblauch	Pierson	Uban
Dougherty	Knoke	Priebe	Varley
Dunton	Kreamer	Rodgers	Wells
Edelen	Larson	Sargisson	Willits
Ellsworth	Lawson	Schmeiser	Winkelman
Franklin			

The nays were, 31:

Bergman	Hamilton	Norpel	Strothman
Camp	Husak	Pellet	Taylor
Christensen	Kelly	Radl	Tieden
Den Herder	Kinley	Rex	Waugh
Drake	Kruse	Roorda	Welden
Fisher, C. R.	Logemann	Sorg	Wyckoff
Freeman	Mendenhall	Stokes	Mr. Speaker
Grassley	Monroe	Strand	(Millen)

Absent or not voting, 16:

Campbell	Fischer, H. O.	Mollett	Schroeder
Doyle	Goode	Nielsen	Skinner
Egenes	Kennedy	Nystrom	Stromer
Ewell	McCormick	Pelton	Wirtz

The resolution as amended was adopted.

REREFERRED TO COMMITTEE ON WAYS AND MEANS
(House File 1197)

Den Herder of Sioux asked and received unanimous consent that **House File 1197** be rereferred to the **committee on ways and means**.

ADOPTION OF SENATE CONCURRENT RESOLUTION 112

Small of Johnson asked and received unanimous consent to take up for immediate consideration **Senate Concurrent Resolution 112** and moved its adoption:

SENATE CONCURRENT RESOLUTION 112
By Doderer, Brownlee, Conklin, Graham, Mowry,
Potgeter, Riley, Shaff, and Van Drie

Whereas, the University of Iowa was founded by the first General Assembly of the State of Iowa on February 25, 1847, fifty-nine days after Iowa was admitted to the Union; and

Whereas, the citizens of the new state of Iowa, through their first elected representatives, established the University of Iowa in recognition of the need for teachers and other educated leadership to serve the frontier society; and

Whereas, the University of Iowa has been a pioneer in public higher education by:

1. Being the first state university to admit women on an equal basis with men.
2. Founding the first law school west of the Mississippi River.
3. Developing a university medical center for the Midwest.
4. Establishing the nation's first nonsectarian school of religion at a state university.
5. Accepting for academic credit the creative arts and developing among others the disciplines of actuarial science, health science, speech pathology, orthopedic surgery, hydraulics, educational measurement, astrophysical science; and

Whereas, during its one hundred twenty-five years of service to this state, this nation and the world, the University of Iowa has awarded some one hundred fifteen thousand degrees to more than one hundred thousand individuals, and has aided in the education of as many others who pursued or completed their studies elsewhere; and

Whereas, the University of Iowa today serves some twenty thousand students in residence at its ten colleges and additional thousands who take

part in university programs for continuing education, *Now, Therefore,*

Be It Resolved by the Senate, the House Concurring, That the Sixty-fourth General Assembly of the State of Iowa expresses gratitude for the many contributions which the University of Iowa has made to the development of this state and extends congratulations to this great institution on the one hundred twenty-fifth anniversary of its founding.

Motion prevailed and the resolution was adopted.

HOUSE INSISTS

(House File 1011)

Fisher of Greene, called up for consideration **House File 1011**, a bill for an act relating to the attainment of the age of majority, and moved that the House insist on the House amendment to the Senate amendment.

A non-record roll call was requested.

The ayes were 69, nays 16.

The motion prevailed and the House insists on its House amendment to the Senate amendment.

CONFERENCE COMMITTEE APPOINTED

(House File 1011)

The Speaker announced the appointment of the conference committee to consider the differences between the House and Senate concerning House File 1011: Fisher of Greene, chairman; Shaw of Scott; Nystrom of Boone and Franklin of Polk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to inform your honorable body that the President of the Senate has appointed as members of the conference committee on House File 1011, a bill for an act relating to the attainment of the age of majority, on the part of the Senate: the Senator from Hardin, Mr. Potgeter, chairman; the Senator from Webster, Mr. Coleman; the Senator from Tama, Mr. Balloun; and the Senator from Polk, Mr. Milligan.

CARROLL A. LANE
Secretary of the Senate

CONSIDERATION OF BILLS

APPROPRIATIONS CALENDAR

Senate File 593, a bill for an act to make an appropriation to the executive council for the construction and equipping of a medical school in counties of over two hundred thousand (200,000) population, with report of committee recommending amendment and passage, was taken up for consideration.

Tieden of Clayton offered the following amendment filed by the committee on appropriations and moved its adoption:

Amend Senate File 593, as amended and passed by the Senate as follows:

1. Page 1, line 10, by inserting after the word "school", the words "to acquire land and buildings and".
2. Page 1, line 12, by striking the words "upon land owned by such medical school".
3. Page 1, line 14, by inserting after the word "which" the word "school".
4. Page 1, line 27, by inserting before the word "construction" the words "acquisition of land and".
5. Amend the title on page 1 by striking lines 2, 3 and 4 and inserting in lieu thereof the following: "*the acquisition of land and buildings, and the remodeling, construction and equipping of a medical school in counties having a population of over two hundred thousand.*"

Tieden of Clayton offered the following amendment to the amendment from the floor and moved its adoption:

Amend the committee on appropriations amendment filed February 21, 1972, to Senate File 593 as follows:

Line 8, by striking the word and figure "Page 1" and inserting in lieu thereof the word and figure "Page 2".

The amendment to the amendment was adopted.

Tieden of Clayton moved the adoption of the committee amendment as amended.

The committee amendment as amended was adopted.

Kreamer of Polk asked and received unanimous consent to withdraw the amendment filed by him on January 20, 1972, and found on page 119 of the House Journal.

Tieden of Clayton offered from the floor the following amendment and moved its adoption:

Amend Senate File 593 as amended and passed by the Senate and reprinted as follows:

Strike the explanation and insert in lieu thereof the following:

This Act provides an appropriation in the amount of \$500,000, for the acquisition of land and buildings, and the remodeling, construction and equipping of a new osteopathic teaching facility for training more family doctors by the college of osteopathic medicine and surgery.

The amendment was adopted.

Lawson of Cerro Gordo moved that Senate File 593 be rereferred to the committee on appropriations.

A non-record roll call was requested.

The ayes were 11, nays 76.

The motion lost.

Tieden of Clayton moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 593)

The ayes were, 69:

Alt	Fisher, C. R.	Menefee	Schwartz
Anania	Franklin	Middleswart	Scott
Andersen	Freeman	Moffitt	Siglin
Bennett	Grassley	Monroe	Sorg
Bergman	Hamilton	Nielsen	Stokes
Blouin	Hansen	Norpel	Strand
Camp	Holden	Patton	Strothman
Campbell	Husak	Pellett	Taylor
Christensen	Jesse	Pierson	Tieden
Clark	Kinley	Priebe	Trowbridge
Cochran	Knoblauch	Radl	Uban
Den Herder	Kreamer	Rex	Varley
Dougherty	Kruse	Rodgers	Willits
Doyle	Logemann	Roorda	Winkelman
Drake	Mayberry	Sargisson	Wyckoff
Dunton	McCormick	Schmeiser	Mr. Speaker
Ellsworth	McElroy	Schroeder	(Millen)
Fischer, H. O.	Mendenhall		

The nays were, 18:

Curtis	Kehe	Lipsky	Stanley
Ewell	Kelly	Schwieger	Waugh
Gluba	Knoke	Shaw	Welden
Hill	Larson	Small	Wells
Johnston	Lawson		

Absent or not voting, 18:

Bray	Harbor	Mollett	Skinner
Edelen	Kennedy	Nystrom	Stromer
Egenes	Miller	Pelton	Wirtz
Goode			

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

Varley of Adair in the chair at 12:00 noon.

Senate File 590, a bill for an act relating to a renal disease program and to provide an appropriation therefor, with report of committee recommending amendment and passage, was taken up for consideration.

Lipsky of Linn offered the following amendment filed by the committee on appropriations:

Amend Senate File 590, as amended and passed by

the Senate, as follows:

1. Page 2, by striking lines 13 through 17, inclusive, and inserting in lieu thereof the following:

"composed of eleven persons selected as follows:

1. Three members from a list submitted by the kidney foundation of Iowa, inc.
2. One member from a list submitted by the Iowa regional medical program, but not a member of the nominating groups named in subsections one (1), three (3), four (4), or six (6) of this section.
3. One member from a list submitted by the Iowa nurses' association.
4. One member from a list submitted by the Iowa hospital association.
5. Two members representing the at-large consumers of health care in Iowa.
6. Three members representing the Iowa medical profession involved in renal dialysis and transplantation.

Each member shall".

2. Page 2, by striking lines 32 through 35, inclusive, and inserting in lieu thereof the following:

3. "The commissioner, in consultation with the renal disease advisory committee, shall:

1. Establish financial criteria for participation in this program based on the resources of the individual patient with due regard to all sources of funds, including, but not limited to, insurance policies, private foundations, medicare, welfare, veterans' benefits, and vocational rehabilitation programs.
2. Establish fees charged to the state for services rendered under approved programs.
3. Extend financial assistance to provide medical, nursing, pharmaceutical, and technical services to persons suffering from chronic renal failure and requiring dialysis treatment or a kidney transplant as determined by qualified physicians.
4. Lease dialysis machines to the patient or to the existing approved dialysis treatment center. No patient residing in Iowa and able to participate in a home dialysis program shall cease to be gainfully employed nor forced to become an indigent or a transient due to insufficient funds for the continuance of dialysis treatment within the patient's home.
5. Institute within existing approved dialysis treatment centers a training program for home dialysis patients and for technical assistants, and investigate the availability of funds through regional medical funding and other sources in order to carry out the provisions of this subsection.
6. Adopt necessary rules and regulations regarding the residency requirements for dialysis patients and, in consultation with the department of social services, determine policies affecting indigent patients who

are not residents of the state of Iowa."

3. Page 3, by striking lines 1 through 21, inclusive.

4. Page 3, line 23, by striking the words and figures "biennium beginning July 1, 1971" and inserting in lieu thereof the words and figures "fiscal year beginning July 1, 1972".

5. Page 3, line 25, by striking the words and figure "one hundred thousand (100,000)" and inserting in lieu thereof the words and figure "thirty thousand (30,000)".

Jesse of Polk offered from the floor the following amendment to the committee amendment and moved its adoption:

Amend Senate File 590 committee on appropriations amendment as follows:

1. Line 16, by striking the word "two" and inserting in lieu thereof the word "three".

2. Line 18, by striking the word "three" and inserting in lieu thereof the word "two".

A non-record roll call was requested.

The ayes were 40, nays 32.

The amendment to the amendment was adopted.

Johnston of Johnson offered from the floor the following amendment to the amendment and moved its adoption:

Amend the committee on appropriations amendment to Senate File 590 by striking lines 64 through 67 inclusive.

The amendment to the amendment lost.

Lipsky of Linn moved the adoption of the committee amendment as amended.

A non-record roll call was requested.

The ayes were 68, nays 13.

The committee amendment as amended was adopted.

Lipsky of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 590)

The ayes were, 78:

Alt	Cochran	Ewell	Husak
Anania	Curtis	Fisher, C. R.	Jesse
Andersen	Den Herder	Franklin	Johnston
Bergman	Dougherty	Freeman	Kelly
Blouin	Doyle	Gluba	Kinley
Bray	Drake	Grassley	Knoblauch
Camp	Dunton	Hansen	Kreamer
Christensen	Edelen	Hill	Kruse
Clark	Ellsworth	Holden	Larson

Lawson	Moffitt	Schmeiser	Strothman
Lipsky	Monroe	Schroeder	Taylor
Logemann	Nielsen	Schwartz	Tieden
Mayberry	Norpel	Schwieger	Trowbridge
McCormick	Patton	Scott	Uban
McElroy	Pierson	Shaw	Waugh
Mendenhall	Priebe	Siglin	Winkelman
Menefee	Rex	Small	Wyckoff
Middleswart	Rodgers	Stanley	Mr. Speaker
Millen	Roorda	Stokes	(Varley)
Miller	Sargisson	Strand	

The nays were, 4:

Knoke	Radl	Sorg	Welden
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Absent or not voting, 18:

Bennett	Hamilton	Nystrom	Stromer
Campbell	Harbor	Pellett	Wells
Egenes	Kehe	Pelton	Willits
Fischer, H. O.	Kennedy	Skinner	Wirtz
Goode	Mollett		

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

HOUSE FILE 221 WITHDRAWN

Roorda of Jasper asked and received unanimous consent to withdraw **House File 221** from further consideration by the House.

REGULAR CALENDAR

House File 1220, a bill for an act authorizing the use of electronic voting systems, was taken up for consideration.

Drake of Muscatine moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1220)

The ayes were, 75:

Alt	Dunton	Kelly	Moffitt
Anania	Ellsworth	Kinley	Monroe
Andersen	Ewell	Knoblauch	Nielsen
Bergman	Fisher, C. R.	Knoke	Patton
Blouin	Freeman	Kruse	Pierson
Bray	Gluba	Larson	Priebe
Camp	Grassley	Lipsky	Radl
Clark	Hansen	Mayberry	Rex
Cochran	Harbor	McCormick	Rodgers
Curtis	Hill	McElroy	Roorda
Den Herder	Holden	Mendenhall	Sargisson
Dougherty	Husak	Menefee	Schroeder
Doyle	Johnston	Middleswart	Schwartz
Drake	Kehe	Miller	Schwieger

Scott	Stanley	Tieden	Wells
Shaw	Stokes	Trowbridge	Winkelman
Siglin	Strand	Uban	Wyckoff
Small	Strothman	Waugh	Mr. Speaker
Sorg	Taylor	Welden	(Varley)

The nays were, 3:

Christensen	Edelen	Norpel
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Absent or not voting, 22:

Bennett	Hamilton	Millen	Schmeiser
Campbell	Jesse	Mollett	Skinner
Egenes	Kennedy	Nystrom	Stromer
Fischer, H. O.	Kreamer	Pellett	Willits
Franklin	Lawson	Pelton	Wirtz
Goode	Logemann		

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

NONCONTROVERSIAL CALENDAR

The House resumed consideration of **Senate File 1070**, a bill for an act relating to the approval, coordination, and supervision over electronic data processing for educational purposes.

Small of Johnson offered the following amendment filed by Small, et al., and moved its adoption:

Amend Senate File 1070, as amended and passed by the Senate as follows: By striking all after the word "districts," in line 9 and all of lines 10 through 18, and inserting in lieu thereof the following: "county or joint county school systems and merged areas. A committee, consisting of the state superintendent of public instruction, the director of the department of general services, the state comptroller, or their designees, and two persons knowledgeable in the area of administrative-instructional computer systems to be appointed by the governor, shall assist and advise the state board of public instruction in approving, coordinating and supervising the use of electronic data processing computers by local school districts, county or joint county school systems and merged areas. The committee shall further inventory current practice and prepare and recommend a statewide plan for the use of electronic data processing computers in order to prevent the unnecessary proliferation of computers. These recommendations shall be submitted to the General Assembly by December 1, 1972 and annually thereafter by December 1 of each year. For purposes of this act the term 'electronic data processing computers' shall refer to equipment having as a component thereof a memory core to store information."

The amendment was adopted.

Grassley of Butler moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 1070)

The ayes were, 78:

Alt	Fisher, C. R.	McCormick	Scott
Anania	Freeman	McElroy	Shaw
Andersen	Gluba	Mendenhall	Small
Bergman	Grassley	Menefee	Sorg
Blouin	Hansen	Middleswart	Stanley
Bray	Harbor	Miller	Stokes
Camp	Hill	Moffitt	Strand
Campbell	Holden	Monroe	Strothman
Christensen	Husak	Nielsen	Taylor
Clark	Johnston	Norpel	Tieden
Cochran	Kehe	Patton	Trowbridge
Curtis	Kelly	Pierson	Uban
Den Herder	Kinley	Priebe	Waugh
Dougherty	Knoblauch	Rex	Welden
Doyle	Knoke	Rodgers	Wells
Drake	Kreamer	Roorda	Winkelman
Dunton	Kruse	Sargisson	Wyckoff
Edelen	Lawson	Schmeiser	Mr. Speaker
Ellsworth	Lipsky	Schwartz	(Varley)
Ewell	Logemann	Schwieger	

The nays were, none.

Absent or not voting, 22:

Bennett	Jesse	Nystrom	Siglin
Egenes	Kennedy	Pellett	Skinner
Fischer, H. O.	Larson	Pelton	Stromer
Franklin	Mayberry	Radl	Willits
Goode	Millen	Schroeder	Wirtz
Hamilton	Mollett		

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

Speaker Harbor in the chair at 1:00 p.m.

House File 1038, a bill for an act relating to endurance contests and the penalty for participating therein, with report of committee recommending passage, was taken up for consideration.

Clark of Lee offered the following amendment filed by him and moved its adoption:

Amend House File 1038 by inserting after line 6 the following new section:

"Sec. 2. This Act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Evening Democrat, a newspaper published in Fort Madison, Iowa, and in The Daily Gate City, a newspaper published in Keokuk, Iowa."

The amendment lost.

Clark of Lee moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1038)

The ayes were, 81:

Alt	Freeman	McElroy	Schwieger
Anania	Gluba	Mendenhall	Scott
Andersen	Grassley	Menefee	Shaw
Bergman	Hansen	Middleswart	Siglin
Blouin	Hill	Miller	Small
Bray	Holden	Moffitt	Sorg
Camp	Husak	Monroe	Stanley
Campbell	Jesse	Nielsen	Stokes
Christensen	Johnston	Norpel	Strand
Clark	Kehe	Patton	Strothman
Cochran	Kinley	Pellett	Taylor
Curtis	Knoblauch	Pierson	Tieden
Den Herder	Knoke	Priebe	Trowbridge
Dougherty	Kreamer	Rex	Uban
Doyle	Kruse	Rodgers	Varley
Drake	Larson	Roorda	Waugh
Dunton	Lawson	Sargisson	Welden
Edelen	Lipsky	Schmeiser	Wells
Ellsworth	Logemann	Schroeder	Winkelman
Ewell	McCormick	Schwartz	Mr. Speaker
Fisher, C. R.			

The nays were, 2:

Radl Wyckoff

Absent or not voting, 17:

Bennett	Hamilton	Millen	Skinner
Egenes	Kelly	Mollett	Stromer
Fischer, H. O.	Kennedy	Nystrom	Willits
Franklin	Mayberry	Pelton	Wirtz
Goode			

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

AMENDMENTS FILED

- 1 Amend Senate File 79 as amended and passed by the
- 2 Senate as follows:
- 3 1. Page 2, by inserting after line 14 the follow-
- 4 ing section:
- 5 Sec. The public schools of this state may
- 6 cooperate with the state conservation commission to
- 7 provide training in the safe handling and use of
- 8 firearms. The course shall be completed in not less
- 9 than four hours nor more than eight hours in any one
- 10 school year. The course shall be an elective and no
- 11 person under eighteen years of age shall be enrolled

12 without the written consent of his parents or guard-
13 ian.

14 2. Page 2, by striking the first four lines of
15 Section 4 and inserting in lieu thereof the follow-
16 ing:

17 Sec. 4. The state conservation commission shall
18 furnish an instructor's manual on hunting safety to
19 be used by all instructors.

20 3. Page 3, line 20 by striking the words "course
21 of instruction or".

22 4. Amend by renumbering the sections to conform
23 to this amendment.

COMMITTEE ON CONSERVATION
AND RECREATION
TIEDEN of Clayton, Chairman

1 Amend the Senate amendment to House File 734,
2 by striking all of lines 167 through 170, and by
3 inserting in lieu thereof the following:
4 "13. "Adjacent Area" means the area which is
5 contiguous to and visible from the right-of-way
6 of any interstate, freeway primary, or primary
7 highway."

UBAN of Black Hawk

1 Amend House File 1247 as follows:
2 1. Page 2, line 30, by inserting a period after
3 the word "television" and striking all of lines 31,
4 32 and 33.
5 2. Page 3, line 1, by inserting a period after
6 the word "television" and striking all of line 2.
7 3. Page 3, line 5, by inserting a period after
8 the word "television" and striking all of lines 6,
9 7 and 8.

PRIEBE of Kossuth

On motion by Varley of Adair, the House adjourned until
10:00 a.m., Monday, February 28, 1972.

JOURNAL OF THE HOUSE

Fiftieth Calendar Day—Thirty-sixth Session Day

HALL OF THE HOUSE OF REPRESENTATIVES
DES MOINES, IOWA, MONDAY, FEBRUARY 28, 1972

The House met pursuant to adjournment, Speaker Harbor in the chair.

Prayer was offered by Father John Martin, pastor of the St. Anthony's Catholic Church, Knoxville, Iowa.

The Journal of Friday, February 25, 1972, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Keith Garber, Corydon, Iowa.

PRESENTATION OF VISITORS

Nielsen of Shelby presented to the House Rudolfo Valenzuela, a foreign exchange student from Guatemala, attending school at Woodbine High School, Woodbine, Iowa, and his American "brother" Bill White.

The Speaker announced that the following visitors were present in the House chamber:

Twenty-seven fifth grade students from Cassiday School, Des Moines, Iowa, accompanied by Doris Stukenberg. By Jesse of Polk.

Twenty-five Webelos Boy Scouts from Troop 182 of Ankeny, Iowa, accompanied by Lee Faas. By Willits of Polk.

Sixty-four fifth grade students from Merrill School, Des Moines, Iowa, accompanied by Mrs. Hanaman. By Hill of Polk.

Sixty-one students from Woodbine High School, Woodbine, Iowa, accompanied by Phil Hummel. By Nielsen of Shelby.

Thirty-nine Boy Scouts from Troop 158, Starry School, Marion, Iowa, accompanied by Carl Baur and Ron Alderson. By Sorg of Linn.

PETITION FILED

The following petition was received and placed on file:

By Wyckoff of Benton from seventy-seven citizens of Black Hawk County favoring House File 366, relating to collective bargaining in public employment.

INTRODUCTION OF BILLS

House File 1264, by committee on transportation, a bill for an act relating to the width of vehicles on roads and highways.

Read first time and placed on the calendar.

House File 1265, by committee on state government, a bill for an act relating to the 1972 primary election.

Read first time and placed on the calendar.

House File 1266, by committee on county government, a bill for an act relating to the offer or acceptance of gratuities in business transactions.

Read first time and placed on the calendar.

House File 1267, by committee on law enforcement, a bill for an act providing that members of the division of fire protection of the department of public safety shall be members of the Iowa department of public safety peace officers' retirement accident and disability system.

Read first time and placed on the calendar.

House File 1268, by committee on judiciary, a bill for an act relating to the liability of an owner or operator of a motor vehicle.

Read first time and placed on the calendar.

House File 1269, by committee on schools, a bill for an act amending the state school foundation program in chapter one hundred sixty-five (165), Acts of the Sixty-fourth General Assembly, First Session, by including in the definition of fall enrollment those resident pupils attending public schools in another district or state and out-of-state pupils attending public schools in the district, and including attendance at special education programs as well as classes; excluding from miscellaneous income reimbursement received from programs provided under section two hundred fifty-seven point twenty-six (257.26) of the

Code; permitting a school district to increase its costs for the single school year beginning July 1, 1972, by the amount its federal aid increases over the previous year, and to exclude the increased amount from miscellaneous income; excluding from miscellaneous income beginning July 1, 1973, all federal aids and reimbursements; correcting the definition of district cost and defining total expenditures for the current year; clarifying the method of determining maximum district cost; correcting the method of determining additional school district property tax levy; redefining the procedure for the school budget review committee to authorize an increase in maximum millage when a non-public school closes; clarifying the duties of the school budget review committee in reviewing school budgets; and correcting the limitation on costs incurred under section two hundred fifty-seven point twenty-six (257.26) of the Code, for which reimbursement may be claimed.

Read first time and placed on the calendar.

House File 1270, by committee on agriculture, a bill for an act relating to control of swine brucellosis.

Read first time and placed on the calendar.

House File 1271, by committee on judiciary, a bill for an act relating to the time of destruction of certain court records.

Read first time and placed on the calendar.

House File 1272, by committee on commerce, a bill for an act relating to bonded warehouses.

Read first time and placed on the calendar.

House File 1273, by committee on commerce, a bill for an act relating to regulation of advertising and selling courses of instruction.

Read first time and placed on the calendar.

House File 1274, by committee on law enforcement, a bill for an act relating to the implied consent test for alcohol, and providing a penalty.

Read first time and placed on the calendar.

SENATE MESSAGE CONSIDERED

Senate File 185, a bill for an act to combine the present county fund for mental health with the state institution fund, redesignating the latter as the county mental health and institutions

fund, prescribing the purposes for which such fund may be used, and authorizing a levy therefor.

Read first time and passed on file.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 108

Doyle of Woodbury called up for consideration **House Concurrent Resolution 108** filed on February 7, 1972, and found on page 300 of the House Journal, and moved its adoption.

Motion prevailed and the resolution was adopted.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File 671, a bill for an act providing for disposal of abandoned vehicles.

CARROLL A. LANE, Secretary

SENATE AMENDMENT TO HOUSE FILE 671

- 1 Amend House File 671 as follows:
- 2 1. By striking everything after the enacting clause and insert-
- 3 ing in lieu thereof the following:
- 4 Section 1. Chapter three hundred twenty-one (321), Code 1971,
- 5 is amended by adding sections two (2) through ten (10) of this
- 6 Act.
- 7 Sec. 2. DEFINITIONS. As used in sections three (3) through
- 8 ten (10) of this Act unless the context otherwise requires:
- 9 1. "Police authority" means the Iowa highway safety
- 10 patrol or any law enforcement agency of a county, city, or
- 11 town.
- 12 2. "Abandoned vehicle" means any of the following:
- 13 a. A motor vehicle that has been left unattended on
- 14 public property for more than forty-eight hours and lacks
- 15 current registration plates or two or more wheels or other
- 16 structural parts which renders the vehicle totally inoperable,
- 17 or
- 18 b. A motor vehicle that has remained illegally on public
- 19 property for more than fifteen days, or
- 20 c. A motor vehicle that has been unlawfully parked on
- 21 private property or has been placed on private property without
- 22 the consent of the owner or person in control of the property
- 23 for more than twenty-four hours, or
- 24 d. A motor vehicle that has been legally impounded by
- 25 order of a police authority and has not been reclaimed for a
- 26 period of thirty days.
- 27 3. "Demolisher" means any city or public agency organized

28 for the disposal of solid waste, or any person whose business it
29 is to convert a motor vehicle to junk, processed scrap or scrap
30 metal, or otherwise to wreck, or dismantle vehicles.

31 Sec. 3. AUTHORITY TO TAKE POSSESSION OF ABANDONED
MOTOR

32 VEHICLES. A police authority may, and on the request of any
33 other authority having the duties of control of highways or
34 traffic, shall take into custody any abandoned motor vehicle
35 on public property and may take into custody any abandoned
36 motor vehicle on private property. The police authority may
37 employ its own personnel, equipment and facilities or hire other
38 personnel, equipment and facilities for the purpose of removing,
39 preserving, storing, or disposing abandoned motor vehicles.

40 Sec. 4. NOTIFICATION OF OWNER AND LIENHOLDERS.

41 1. A police authority which takes into custody an
42 abandoned motor vehicle shall notify, within ten days, by
43 certified mail, the last known registered owner of the
44 motor vehicle and all lienholders of record, addressed to
45 their last known address of record, that the abandoned
46 motor vehicle has been taken into custody. Notice shall
47 be deemed given when mailed. The notice shall describe the
48 year, make, model, and serial number of the motor vehicle,
49 set forth the location of the facility where it is being
50 held, inform the owner and any lienholders of their right
51 to reclaim the motor vehicle within fourteen days after the
52 effective date of the notice upon payment of all towing,
53 preservation, and storage charges resulting from placing
54 the motor vehicle in custody. The notice shall also state
55 that the failure of the owner or lienholders to exercise
56 their right to reclaim the motor vehicle within the time
57 provided shall be deemed a waiver by the owner and all
58 lienholders of all right, title, claim and interest in the
59 motor vehicle and that such failure to reclaim the motor
60 vehicle is deemed consent to the sale of the motor vehicle
61 at a public auction or disposal of the motor vehicle
62 to a demolisher. If the owner and lienholders do not
63 exercise their right to reclaim such motor vehicle within
64 the fourteen-day reclaiming period, such owner and lien-
65 holders shall no longer have any right, title, claim, or
66 interest in or to such motor vehicle. No court in any case
67 in law or equity shall recognize any right, title, claim,
68 or interest of any such owner and lienholders after the
69 expiration of the fourteen-day reclaiming period.

70 2. If the identity of the last registered owner cannot
71 be determined, or if the registration contains no address
72 for the owner, or if it is impossible to determine with
73 reasonable certainty the identity and addresses of all
74 lienholders, notice by one publication in one newspaper
75 of general circulation in the area where the motor vehicle
76 was abandoned shall be sufficient to meet all requirements
77 of notice under this Act. The published notice may contain
78 multiple listings of abandoned motor vehicles but shall be
79 published within the same time requirements and contain the
80 same information as prescribed for mailed notice in subsection

81 one (1) of this section.

82 3. The owner or any lienholders may, by written request
83 delivered to the police authority prior to the expiration of
84 the fourteen-day reclaiming period, obtain an additional
85 fourteen days within which the motor vehicle may be reclaimed.

86 Sec. 5. AUCTION OF ABANDONED MOTOR VEHICLES. If an

87 abandoned motor vehicle has not been reclaimed as provided
88 for in section four (4) of this Act, the police authority
89 shall make a determination as to whether or not the motor
90 vehicle shall be sold for use upon the highways. If it is
91 to be sold as a motor vehicle for use upon the highways, it
92 shall first be inspected as required by chapter one hundred
93 eighty-three (183), Acts of the Sixty-fourth General Assembly,
94 First Session, and have a valid certificate of inspection
95 affixed. If the motor vehicle is not sold for use upon the
96 highways, it shall only be sold to a dealer licensed under
97 chapter three hundred twenty-two (322) of the Code or to
98 a demolisher for junk, or demolished and sold as scrap or
99 sold as provided in section thirteen (13) of this Act with a
100 restricted certificate of title and not for use upon the
101 highways. The police authority shall sell the motor vehicle
102 at public auction. Notwithstanding any other provisions of
103 this Act, any police authority, which has taken into
104 possession any abandoned motor vehicle which lacks an engine
105 or two or more wheels or other structural part which renders
106 the vehicle totally inoperable may dispose of such motor
107 vehicle to a demolisher for junk without the notification
108 procedures enumerated in section four (4) of this Act and
109 without public auction. The purchaser of the motor vehicle
110 shall take title free and clear of all liens and claims of
111 ownership, shall receive a sales receipt from the police
112 authority, and shall be entitled to register the motor
113 vehicle and receive a certificate of title if sold for use
114 upon the highways or a restricted certificate of title as
115 the case may be; however, if the motor vehicle is sold or
116 disposed of to a demolisher for junk, the sales receipt by
117 itself shall be sufficient title only for purposes of trans-
118 ferring the motor vehicle to such demolisher for demolition,
119 wrecking, or dismantling and, when so transferred, no
120 further titling of the motor vehicle shall be permitted. From
121 the proceeds of the sale of an abandoned motor vehicle the
122 police authority shall reimburse itself for the expenses
123 of the auction, the costs of towing, preserving, and storing
124 which resulted from placing the abandoned motor vehicle in
125 custody, all notice and publication costs incurred pursuant
126 to section four (4) of this Act, the cost of inspection, and
127 any other costs incurred except costs of bookkeeping and
128 other administrative costs. Any remainder from the proceeds
129 of a sale shall be held for the owner of the motor vehicle
130 or entitled lienholder for ninety days, and shall then be
131 deposited in the reimbursement fund received by the depart-
132 ment of public safety pursuant to section three hundred twenty-
133 one point one hundred forty-five (321.145), subsection two (2),
134 of the Code. The costs to police authorities of auction,
135 towing, preserving, storage, and all notice and publication

136 costs, inspection costs and all other costs which result from
137 placing other abandoned vehicles in custody, whenever the
138 proceeds from a sale of such other abandoned motor vehicles
139 are insufficient to meet these expenses and costs, shall be
140 paid from the reimbursement fund of the department of public
141 safety under section three hundred twenty-one point one
142 hundred forty-five (321.145), subsection two (2), of the
143 Code. In the event the reimbursement fund is temporarily
144 exhausted, payment shall be deferred until the reimbursement
145 fund contains sufficient funds to meet the claims.

146 The state comptroller shall establish by rule a claims
147 procedure to be followed by police authorities in obtaining
148 expenses and costs from the fund.

149 **Sec. 6. GARAGEKEEPERS AND ABANDONED MOTOR VE-**
HICLES.

150 Any motor vehicle left in a garage operated for commercial
151 purposes after the period for which the vehicle was to
152 remain on the premises shall, after notice by certified
153 mail to the last known registered owner of the vehicle
154 addressed to his last known address of record to reclaim
155 the vehicle within ten days of the date of the notice,
156 be deemed an abandoned motor vehicle unless reclaimed by
157 the owner within such ten-day period or the owner notifies
158 the garagekeeper in writing within such period of time
159 that such vehicle is not an abandoned motor vehicle and
160 shall be reported by the garagekeeper to the police
161 authority. If the identity or address of the last registered
162 owner of the motor vehicle cannot be determined, the vehicle
163 shall be deemed an abandoned motor vehicle on the eleventh day
164 after the period for which the vehicle was to remain on the
165 premises unless reclaimed by the owner within the ten-day
166 period or the owner notifies the garagekeeper in writing
167 within such period of time that such vehicle is not an
168 abandoned motor vehicle and shall be reported by the garage-
169 keeper to the police authority. All abandoned motor vehicles
170 left in garages may be taken into custody by a police authority
171 upon the request of the garagekeeper and sold in accordance
172 with the procedures set forth in this Act unless the motor
173 vehicle is reclaimed. The proceeds of the sale shall be first
174 applied to the garagekeeper's charges for towing and storage,
175 and any surplus proceeds shall be distributed in accordance
176 with section five (5) of this Act. Nothing in this section
177 shall be construed to impair any lien of a garagekeeper under
178 the laws of this state, or the right of a garagekeeper to
179 foreclose his lien, provided that a garagekeeper shall be
180 deemed to have abandoned his artisan lien when such vehicle
181 is taken into custody by the police authority. For the
182 purposes of this section "garagekeeper" means any operator
183 of a parking place or establishment, motor vehicle storage
184 facility, or establishment for the servicing, repair, or
185 maintenance of motor vehicles.

186 **Sec. 7. DISPOSAL TO DEMOLISHER.**

187 1. Any person, firm, corporation, or unit of government
188 upon whose property or in whose possession is found any
189 abandoned motor vehicle, or any person being the owner of

190 a motor vehicle whose title certificate is faulty, lost, or
191 destroyed and is thereby unable to transfer title to the
192 motor vehicle, may apply to the police authority of the
193 jurisdiction in which the motor vehicle is situated for
194 authority to sell, give away, or otherwise dispose of the
195 motor vehicle to a demolisher.

196 2. The application shall set out the name and address
197 of the applicant, the year, make, model, and serial number
198 of the motor vehicle, if ascertainable, together with any
199 other identifying features, and shall contain a concise
200 statement of the facts surrounding the abandonment, or a
201 statement that the title of the motor vehicle is lost or
202 destroyed, or the reasons for the defect of title in the
203 owner. The applicant shall execute an affidavit stating
204 that the facts alleged are true and that no material fact
205 has been withheld.

206 3. If the police authority finds that the application
207 is executed in proper form, and shows that the motor vehicle
208 has been abandoned upon the property of the applicant, or if
209 it shows that the motor vehicle is not abandoned but that the
210 applicant appears to be the rightful owner, the police authority
211 shall follow appropriate notification procedures as set forth
212 in section four (4) of this Act.

213 4. If the abandoned motor vehicle is not reclaimed in
214 accordance with section four (4) of this Act, or no lienholder
215 objects to the disposal in the case of an owner-applicant, the
216 police authority shall give the applicant a certificate of
217 authority to dispose of the motor vehicle to any demolisher
218 for demolition, wrecking, or dismantling. The demolisher shall
219 accept such certificate in lieu of the certificate of title
220 to the motor vehicle.

221 5. Notwithstanding any other provisions of this Act, any
222 person, firm, corporation, or unit of government upon whose
223 property or in whose possession is found any abandoned motor
224 vehicle, or any person being the owner of a motor vehicle whose
225 title certificate is faulty, lost, or destroyed, may dispose
226 of such motor vehicle to a demolisher for junk without his
227 title and without the notification procedures of section four (4)
228 of this Act if the motor vehicle lacks an engine or two or more
229 wheels or other structural part which renders the vehicle
230 totally inoperable.

231 6. The owner of an abandoned motor vehicle and all lien-
232 holders shall no longer have any right, title, claim, or
233 interest in or to such motor vehicle; and no court in any case
234 in law or equity shall recognize any right, title, claim, or
235 interest of any such owner and lienholders after the disposal
236 of such motor vehicle to a demolisher.

237 7. Any proceeds from the sale of an abandoned motor
238 vehicle to a demolisher under this section, by one other
239 than the owner of the vehicle, shall first be applied to
240 that person's expenses in effecting the sale, including
241 storage, towing, and disposal charges, and any surplus
242 shall be distributed in accordance with section five (5)
243 of this Act.

244 Sec. 8. DUTIES OF DEMOLISHERS.

245 1. Any demolisher who purchases or otherwise acquires
246 an abandoned motor vehicle for junk under the provisions of
247 this Act shall junk, scrap, wreck, dismantle, or demolish
248 such motor vehicle. However, if the vehicle is acquired
249 under the provisions of subsection five (5), section seven (7),
250 of this Act, the demolisher shall apply to the police
251 authority of the jurisdiction from which the vehicle was
252 acquired for a certificate of authority to demolish the
253 vehicle. In making the application the demolisher shall
254 describe the motor vehicle as required by subsection two (2),
255 section seven (7), of this Act. The police authority shall
256 issue the certificate of authority upon complying with
257 subsection three (3), section seven (7), of this Act, but
258 shall be excused from following the notification procedures
259 as required therein. No further titling of the motor vehicle
260 shall be permitted. After the motor vehicle has been
261 demolished, processed, or changed so that it physically
262 is no longer a motor vehicle, the demolisher shall surrender
263 the auction sales receipt or certificate of authority to
264 dispose of or demolish a motor vehicle to the department of
265 public safety for cancellation. The department of public
266 safety shall issue such forms, rules, and regulations governing
267 the surrender of auction sales receipts, certificates of title,
268 and certificates of authority to dispose of or demolish motor
269 vehicles, and the cancellation and surrender of the registrations
270 and certificates of title for such motor vehicles as are
271 appropriate.

272 2. A demolisher shall keep an accurate and complete
273 record of all motor vehicles purchased or received by him
274 in the course of his business. These records shall contain
275 the name and address of the person from whom each such
276 motor vehicle was purchased or received and the date when
277 such purchases or receipts occurred. Such records shall
278 be open for inspection by any police authority at any time
279 during normal business hours. Any record required by this
280 section shall be kept by the demolisher for at least one
281 year after the transaction to which it applies.

282 Sec. 9. No person, firm, corporation, unit of govern-
283 ment, garagekeeper or police authority upon whose property
284 an abandoned motor vehicle is found or who disposes of such
285 abandoned vehicle in accordance with this Act shall be liable
286 for damages by reason of the removal, sale, or disposal of
287 such motor vehicle.

288 Sec. 10. Any person who abandons a motor vehicle shall
289 be guilty of a misdemeanor.

290 Sec. 11. Chapter three hundred twenty-one (321), Code 1971,
291 is amended by adding the following new section:

292 "Notwithstanding the provisions of chapter three hundred
293 twenty-two (322) of the Code, and any other statute to the
294 contrary, the title to a motor vehicle may be transferred
295 without a certificate of inspection as prescribed by chapter
296 one hundred eighty-three (183), Acts of the Sixty-fourth General
297 Assembly, First Session, where such motor vehicle is materially
298 damaged, inoperable, or unsafe for use upon the highway upon

299 compliance with the following conditions:

300 1. That the registration fee of the vehicle is not
301 delinquent.

302 2. That the vehicle was obtained for the purpose of
303 restoring, rebuilding or repairing and not for use upon
304 the highway and such facts are evidenced by an affidavit
305 signed by both the transferor and the transferee on a form
306 provided by the department.

307 3. The transferor shall surrender the registration
308 plates, registration card and the certificate of title, or
309 if a foreign vehicle from a nontitle state, such evidence
310 of foreign registration and ownership as may be prescribed
311 by the department, unless the vehicle is sold or transferred
312 pursuant to the provisions of sections two (2) through ten (10)
313 of this Act, for the vehicle together with the application
314 of the transferee for a restricted certificate of title,
315 the affidavit as provided in subsection two (2) of this section
316 and the fee for transfer to the county treasurer of the residence
317 of the transferor who shall transmit the application of the
318 transferee for a restricted certificate of title, the
319 affidavit as provided in subsection two (2) of this section,
320 and the fee for transfer to the county treasurer of the
321 county of residence of the transferee. No refund of fees
322 previously paid for the registration of such motor vehicle
323 shall be allowed.

324 4. The county treasurer of the county of residence of
325 the transferee upon receipt of the application for a new
326 certificate of title, fee therefor, and the affidavit as
327 provided in subsection two (2) of this section, and when
328 satisfied as to the genuineness and regularity thereof,
329 shall issue a restricted certificate of title to the
330 applicant but shall not issue registration plates or a
331 registration card. A restricted certificate of title
332 shall be red in color and shall have conspicuously imprinted
333 thereon in bold print, in a manner prescribed by the depart-
334 ment, the words 'RESTRICTED CERTIFICATE OF TITLE—CAN-

335 REGISTERED AND OPERATED ON THE HIGHWAYS WITH-
336 APPROVED CERTIFICATE OF INSPECTION.' At such time as
NOT BE
OUT A VALID
the

337 transferee surrenders a valid approved certificate of
338 inspection and the restricted certificate of title to the
339 county treasurer of the county of his residence, the county
340 treasurer, upon payment of the appropriate fees, shall issue
341 a certificate of title that is not restricted for the
342 vehicle and shall also issue a registration card and
343 registration plates for the vehicle to the applicant,
344 however if the registration fee for the vehicle has been
345 paid for the current year, the county treasurer shall issue
346 a registration card and registration plates for the vehicle
347 to the applicant upon payment of an additional registration
348 fee of five dollars.

349 5. A motor vehicle which has a restricted certificate
350 of title may be sold or otherwise transferred as provided

351 in this section, except provisions pertaining to the surrender
352 of current registration plates and registration card shall
353 not apply; however, such motor vehicle may be sold or other-
354 wise transferred pursuant to section three hundred twenty-
355 one point forty-eight (321.48) of the Code to a dealer
356 licensed under chapter three hundred twenty-two (322) of
357 the Code without compliance with the provisions of this
358 section.

359 6. No vehicle sold or otherwise transferred pursuant
360 to the provisions of this section shall be driven upon the
361 highway until a valid official certificate of inspection has
362 been affixed thereto and an unrestricted certificate of title,
363 a registration card, and registration plates for the vehicle
364 have been issued to the purchaser or transferee.

365 7. The provisions of this section, except provisions
366 pertaining to the surrender of current registration plates
367 and registration card, shall also be applicable to the
368 insurer of any vehicle who obtains ownership of the vehicle
369 as a result of settlement resulting from the theft of a motor
370 vehicle which has not been recovered, provided the vehicle
371 has been reported stolen as provided in section three
372 hundred twenty-one point eighty-five (321.85) of the Code
373 and written proof of payment to the insured, resulting
374 from such theft, is submitted by the applicant. Proof of
375 payment for loss due to theft shall be submitted on forms
376 prescribed or provided by the department."

377 Sec. 12. Section three hundred twenty-one point
378 eighty-five (321.85), Code 1971, is amended to read as
379 follows:

380 321.85 STOLEN [OR ABANDONED] VEHICLES. Whenever any
381 motor vehicle is seized under section 321.84 or whenever
382 any motor vehicle is stolen or embezzled, and is not
383 claimed by the owner before the date on which the person
384 charged with the stealing or embezzling of same is
385 convicted, [or if the motor vehicle be abandoned and is
386 not claimed by the owner within three days,] then the officer
387 having [same] *the motor vehicle* in his custody must, on such
388 date by certified mail, notify the department that he has
389 such a motor vehicle in his possession, giving a full and
390 complete description of same, including all marks of
391 identification, factory and serial numbers.

392 Sec. 13. Section three hundred twenty-one point eighty-
393 eight (321.88), Code 1971, as amended by chapter one hundred
394 eighty-three (183), section five (5), Acts of the Sixty-
395 fourth General Assembly, First Session, is amended by striking
396 the section and inserting in lieu thereof the following:

397 321.88 FAILURE OF OWNER TO CLAIM. If the owner does
398 not appear within forty days, the motor vehicle shall be
399 deemed abandoned and the officer having possession of the
400 motor vehicle shall proceed as provided in sections four (4)
401 and five (5) of this Act.

402 Sec. 14. Sections three hundred twenty-one point eighty-
403 nine (321.89), three hundred twenty-one point ninety (321.90),
404 and three hundred twenty-one point ninety-one (321.91),
405 Code 1971, are repealed.

406 2. Page 1, line 1, by striking all after the word "Act" and
 407 by striking all of line 2 and inserting in lieu thereof the
 408 following: "relating to the disposal or transfer of abandoned,
 409 repairable, or stolen motor vehicles, and providing a penalty."

CONSIDERATION OF BILLS

NONCONTROVERSIAL CALENDAR

House File 1171, a bill for an act relating to governmental immunity in the operation of snowmobiles, with report of committee recommending passage, was taken up for consideration.

Under the provisions of Rule 11 of the rules of the committee on noncontroversial bills, House File 1171 is deferred and retained on the regular calendar.

House File 1219, a bill for an act related to the destruction of undesirable fish, was taken up for consideration.

Mendenhall of Allamakee moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1219)

The ayes were, 81:

Anania	Hill	Moffitt	Siglin
Andersen	Holden	Mollett	Small
Bergman	Husak	Monroe	Sorg
Blouin	Kehe	Nielsen	Stanley
Camp	Kelly	Norpel	Stokes
Campbell	Knoblauch	Nystrom	Strand
Clark	Knoke	Pellett	Stromer
Cochran	Kreamer	Pelton	Strothman
Curtis	Kruse	Pierson	Taylor
Den Herder	Lawson	Priebe	Tieden
Dougherty	Lipsky	Radl	Trowbridge
Doyle	Logemann	Rex	Varley
Drake	Mayberry	Rodgers	Waugh
Dunton	McCormick	Roorda	Welden
Egenes	McElroy	Sargisson	Wells
Ewell	Mendenhall	Schmeiser	Willits
Fisher, C. R.	Menefee	Schroeder	Winkelman
Freeman	Middleswart	Schwieger	Wirtz
Grassley	Millen	Scott	Wyckoff
Hamilton	Miller	Shaw	Mr. Speaker
Hansen			

The nays were, 4:

Bray	Edelen	Larson	Uban
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Absent or not voting, 15:

Alt	Fischer, H. O.	Jesse	Patton
Bennett	Franklin	Johnston	Schwartz
Christensen	Gluba	Kennedy	Skinner
Ellsworth	Goode	Kinley	

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

HOUSE FILE 1108 WITHDRAWN

Tieden of Clayton asked and received unanimous consent to withdraw House File 1108 from further consideration by the House.

Senate File 471, a bill for an act relating to the annual registration fee for urban transit company vehicles, with report of committee recommending passage, was taken up for consideration.

Schwieger of Black Hawk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 471)

The ayes were, 85:

Anania	Grassley	Menefee	Siglin
Andersen	Hamilton	Millen	Small
Bergman	Hansen	Miller	Sorg
Blouin	Hill	Moffitt	Stanley
Bray	Holden	Mollett	Stokes
Camp	Husak	Monroe	Strand
Campbell	Jesse	Nystrom	Stromer
Clark	Kehe	Pellett	Strothman
Cochran	Kelly	Pelton	Taylor
Curtis	Kennedy	Pierson	Tieden
Den Herder	Knoblauch	Priebe	Trowbridge
Dougherty	Knoke	Radl	Uban
Doyle	Kreamer	Rex	Varley
Drake	Kruse	Rodgers	Waugh
Dunton	Larson	Roord	Welden
Edelen	Lipsky	Sargisson	Wells
Egenes	Logemann	Schmeiser	Willits
Ellsworth	Mayberry	Schroeder	Winkelman
Fischer, H. O.	McCormick	Schwieger	Wirtz
Fisher, C. R.	McElroy	Scott	Wyckoff
Freeman	Mendenhall	Shaw	Mr. Speaker
Gluba			

The nays were, 1:

Norpel

Absent or not voting, 14:

Alt	Franklin	Lawson	Patton
Bennett	Goode	Middleswart	Schwartz
Christensen	Johnston	Nielsen	Skinner
Ewell	Kinley		

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

APPROPRIATIONS CALENDAR

House File 1247, a bill for an act making appropriations to the educational radio and television facility board for the purpose of making capital improvements, was taken up for consideration.

Priebe of Kossuth offered the following amendment filed by him and moved its adoption:

Amend House File 1247 as follows:

1. Page 2, line 30, by inserting a period after the word "television" and striking all of lines 31, 32 and 33.

2. Page 3, line 1, by inserting a period after the word "television" and striking all of line 2.

3. Page 3, line 5, by inserting a period after the word "television" and striking all of lines 6, 7 and 8.

Roll call was requested by Priebe of Kossuth and Camp of Clinton.

On the question "Shall the amendment be adopted?"

The ayes were, 16:

Cochran	Larson	Priebe	Stromer
Dougherty	Mayberry	Radl	Uban
Husak	McCormick	Scott	Wells
Jesse	Monroe	Small	Wyckoff

The nays were, 66:

Alt	Freeman	Mendenhall	Schwieger
Andersen	Gluba	Menefee	Shaw
Bergman	Grassley	Millen	Siglin
Blouin	Hamilton	Miller	Sorg
Bray	Hansen	Moffitt	Stanley
Camp	Hill	Mollett	Stokes
Campbell	Holden	Nielsen	Strand
Clark	Kehe	Norpel	Strothman
Curtis	Kelly	Nystrom	Taylor
Den Herder	Kennedy	Pellett	Tieden
Doyle	Knoke	Pelton	Trowbridge
Drake	Kreamer	Pierson	Varley
Egenes	Kruse	Rodgers	Waugh
Ellsworth	Lawson	Roorda	Winkelman
Ewell	Lipsky	Sargisson	Wirtz
Fischer, H. O.	Logemann	Schroeder	Mr. Speaker
Fisher, C. R.	McElroy		

Absent or not voting, 18:

Anania	Franklin	Middleswart	Schwartz
Bennett	Goode	Patton	Skinner
Christensen	Johnston	Rex	Welden
Dunton	Kinley	Schmeiser	Willits
Edelen	Knoblauch		

The amendment lost.

Lawson of Cerro Gordo offered from the floor the following Lawson-Logemann-Trowbridge-Scott amendment and moved its adoption:

Amend House File 1247, as follows:

1. Page 2, line 32 by striking the words and figures "four hundred thousand (400,000)" and inserting in lieu thereof the words and figures three hundred eighty-four thousand (384,000)".

2. Page 2, line 33, by inserting after the word "area" the following: "except that a special appropriation of thirty-two thousand (32,000) dollars is made to the North Central Iowa area for a translator facility".

The amendment lost.

Speaker pro tempore Millen in the chair at 11:25 a.m.

Kehe of Bremer offered the following amendment from the floor and moved its adoption:

Amend House File 1247 by adding the following new sections:

Sec. Section eight A point three (8A.3), Code 1971, is amended by adding thereto the following:

Before any obligations for expenditures shall be incurred from appropriations made under the provisions of this chapter the same shall be approved by the state comptroller.

Sec. Section eight A point twenty (8A.20), Code 1971, is repealed.

A non-record roll call was requested.

The ayes were 41, nays 37.

The amendment was adopted.

Radl of Linn offered the following amendment filed by him and moved its adoption:

1 Amend House File 1247 as follows:

2 1. Page 2, line 2, by striking the word "educa-
3 tional" and inserting in lieu thereof the word "pub-
4 lic".

5 2. Page 2, line 6, by striking the word "educa-
6 tional" and inserting in lieu thereof the word "pub-
7 lic".

8 3. Page 2, line 20, by striking the word "educa-
9 tional" and inserting in lieu thereof the word "pub-
10 lic".

11 4. Page 2, line 25, by striking the word "educa-
12 tional" and inserting in lieu thereof the word "pub-
13 lic".

14 5. Page 2, line 30, by striking the word "educa-
15 tional" and inserting in lieu thereof the word "pub-
16 lic".

17 6. Page 3, line 1, by striking the word "educa-
18 tional" and inserting in lieu thereof the word "pub-
19 lic".

20 7. Page 3, line 5, by striking the word "educa-
21 tional" and inserting in lieu thereof the word "pub-
22 lic".

23 8. Page 3, line 19, by striking the word "educa-
24 tional" and inserting in lieu thereof the word "pub-
25 lic".

26 9. Page 3, by adding after line 25 the following
27 new sections:

28 1. "Sec. Section eight A point one (8A.1),
29 Code 1971, is amended to read as follows:

30 8A.1 PURPOSE. It is the intent of the general
31 assembly in providing for state communications, that
32 [an educational] a *public* radio and television facility,
33 including provision for closed circuit television,
34 be established to serve the entire state, and that
35 communications of state government be co-ordinated
36 to effect maximum practical consolidation and joint
37 use of communications services."

38 2. "Sec. Section eight A point two (8A.2),
39 subsections four (4) and five (5), Code 1971, are
40 amended to read as follows:

41 4. "Radio and television facility" means transmit-
42 ters, towers, studios, and all necessary associated
43 equipment for [educational] *public* broadcasting.

44 5. "Board" means the [educational] *public* radio
45 and television facility board.

46 3. "Sec. Section eight A point four (8A.4),
47 unnumbered paragraph four (4), Code 1971, as amended
48 by chapter eighty-four (84), section seventeen (17),
49 Acts of the Sixty-fourth General Assembly, First Ses-
50 sion, is amended to read as follows:

51 The communications division and the state [educa-
52 tional] *public* radio and television facility board
53 shall coordinate their activities to achieve the maxi-
54 mum possible cooperation and effective use of the
55 available facilities."

56 4. "Sec. Section eight A point five (8A.5),
57 subsection seven (7), Code 1971, is amended to read
58 as follows:

59 7. The chairman of the state [educational] *pub-*
60 *lic* radio and television facility board."

61 5. "Sec. Section eight A point six (8A.6),
62 Code 1971, is amended to read as follows:

63 8A.6 [EDUCATIONAL] *PUBLIC* FACILITY BOARD
CREATED.

64 There is hereby created a state [educational] *public*
65 radio and television facility board for the purpose
66 of planning, establishing, and operating [an educational]

67 a public radio and television facility and such other
68 communications services as may prove necessary in
69 aid of the accomplishment of the [educational] public
70 objectives of this state."

71 6. "Sec. Section eight A point thirteen
72 (8A.13), subsection two (2), Code 1971, is amended
73 to read as follows:

74 2. Advisory committee on curricula and [educa-
75 tional] public matters."

76 7. "Sec. Section eight A point fifteen
77 (8A.15), Code 1971, is amended to read as follows:

78 8A.15 PURCHASE OR LEASE OF PROPERTY. The board
79 shall have power to purchase or lease property, equip-
80 ment, and services and to improve same for proper
81 [educational] public communications uses, and to dispose
82 of property and equipment when not necessary for their
83 purposes."

84 8. "Sec. Section eight A point eighteen
85 (8A.18), Code 1971, as amended by chapter eighty-four
86 (84), section twenty-one (21), Acts of the Sixty-
87 fourth General Assembly, First Session, is amended
88 to read as follows:

89 8A.18 DIRECTOR [EDUCATIONAL] PUBLIC FACILITIES.

90 The board shall appoint [an educational] a public
91 facilities director who shall not be included in the
92 Iowa merit system and fix his compensation if it is
93 not otherwise provided by law. All appointments of
94 personnel needed to administer this chapter shall
95 be without reference to political party affiliation,
96 religious beliefs, sex, marital status, race, color,
97 or national origin. The total amount of compensation
98 for employees shall be subject to the limitation of
99 the appropriation and other funds lawfully available."

100 9. "Sec. Section eight A point nineteen

101 (8A.19), Code 1971, is amended to read as follows:

102 8A.19 LOCAL BOARDS. Nothing in this chapter shall
103 prohibit local boards of education from owning, operat-
104 ing, improving and maintaining [educational] public
105 radio and television stations and transmitters now
106 in existence and operation. Local boards of education
107 are hereby empowered and authorized to enter into
108 such agreements with the state [educational] public
109 radio and television facility board as are contemplated
110 in section 8A.15."

111 10. "Sec. Section eight A point twenty-one
112 (8A.21), Code 1971, is amended to read as follows:

113 8A.21 LOCATION OF FACILITIES. The state [educa-
114 tional] public radio and television facility board
115 may locate its administrative offices and production
116 facilities outside the city of Des Moines, Iowa, and
117 on land acquired by the board from the Area XI Com-
118 munity College at Ankeny, Iowa."

119 11. "Sec. Section eight A point twenty
120 (8A.20), Code 1971, is repealed."

121 12. "Sec. Chapter forty-nine (49), sections

122 one (1), two (2), three (3), and four (4), Acts of
 123 the Sixty-fourth General Assembly, First Session,
 124 are amended as follows:

125 Section 1. There is appropriated from the general
 126 fund of the state to the educational *public* radio
 127 and television facility board for each fiscal year
 128 of the biennium beginning July 1, 1971 and ending
 129 June 30, 1973, the following amounts, or so much
 130 thereof as may be necessary, to be used for the
 131 purposes designated:

	1971-72	1972-73
	<i>Fiscal Year</i>	<i>Fiscal Year</i>
134 [EDUCATIONAL] <i>PUBLIC</i> RADIO AND TELEVISION FA- CILITY		

135 BOARD.

136 1. For salaries, support, maintenance, and
 137 miscellaneous purposes:\$987,070.00 \$1,039,500.00

138 2. To liquidate four lease-to-own contracts
 139 for videotape recorders and studio cameras:
 140\$270,000.00 —

141 Sec. 2. There is appropriated from the general
 142 fund of the state to the [educational] *public* radio
 143 and television facility board for the fiscal biennium
 144 commencing July 1, 1971 and ending June 30, 1973,
 145 the sum of thirty-two thousand five hundred (32,500)
 146 dollars, or so much thereof as may be necessary, for
 147 the acquisition and operation of equipment to be made
 148 available by the Black Hawk broadcasting company.

149 Sec. 3. The [educational] *public* radio and television
 150 facility board, the governor, and the state comptroller
 151 may accept federal or private grants to the state
 152 or accept as a gift any facilities or real property
 153 to be used in connection with the funds appropriated
 154 by this Act.

155 Sec. 4. Notwithstanding the provisions of section
 156 eight point thirty-three (8.33) of the Code, all unen-
 157 cumbered or unobligated balances of appropriations
 158 made by section one (1) of this Act for the first
 159 fiscal year of the biennium commencing July 1, 1971
 160 shall, on September 30, 1972, revert to the state
 161 treasury and to the credit of the fund from which
 162 appropriated. The [educational] *public* radio and
 163 television facility board may make application to
 164 the committees on appropriations for the
 165 reappropriation of any funds that do revert, or
 166 probably will revert upon the dates herein set and
 167 the respective committees on appropriations or a
 168 subcommittee thereof shall hold a hearing upon the
 169 application while the general assembly is in regular
 170 session. In all other respects the provisions of
 171 section eight point thirty-three (8.33) of the Code
 172 shall apply to appropriations made for the first
 173 fiscal year of such biennium. Unencumbered or
 174 unobligated balances of appropriations made for the
 175 second fiscal year of such biennium shall be subject

176 to section eight point thirty-three (8.33) of the
 177 Code.”
 178 13. “Sec. Chapter 2, Section 1, subsection
 179 55, Acts of the Sixty-fourth General Assembly,
 180 First Session, is amended to read as follows:
 181 55. [Educational] *Public* radio and television
 182 facility board.
 183 Salary of the director not
 184 exceeding:\$ 19,500.00 \$ 19,500.00
 185 10. Page 1, amend the title by striking from line
 186 1 the word “educational” and inserting in lieu thereof
 187 the word “public” and by inserting in line 3 after
 188 the word “improvements” the words “and providing for
 189 the proper designation of such board”.

Roll call was requested by Radl of Linn and Kennedy of Chick-
 asaw.

On the question “Shall the amendment be adopted?”

The ayes were, 42:

Bray	Kennedy	Nielsen	Scott
Campbell	Kinley	Norpel	Small
Cochran	Knoblauch	Pelton	Sorg
Dougherty	Kreamer	Priebe	Stanley
Drake	Kruse	Radl	Stromer
Fischer, H. O.	Logemann	Rex	Taylor
Grassley	Mayberry	Rogers	Uban
Holden	McCormick	Sargisson	Welden
Husak	Middleswart	Schmeiser	Wells
Jesse	Miller	Schwieger	Wyckoff
Kehe	Mollett		

The nays were, 42:

Alt	Egenes	Mendenhall	Stokes
Andersen	Ellsworth	Menefee	Strand
Bergman	Ewell	Moffitt	Strothman
Blouin	Fisher, C. R.	Monroe	Tieden
Camp	Hamilton	Nystrom	Trowbridge
Clark	Hansen	Pellett	Varley
Curtis	Hill	Pierson	Winkelman
Den Herder	Kelly	Roorda	Wirtz
Doyle	Knoke	Schroeder	Mr. Speaker
Dunton	Lipsky	Shaw	(Millen)
Edelen	McElroy	Siglin	

Absent or not voting, 16:

Anania	Freeman	Johnston	Schwartz
Bennett	Gluba	Larson	Skinner
Christensen	Goode	Lawson	Waugh
Franklin	Harbor	Patton	Willits

The amendment lost.

Camp of Clinton moved that the bill be read a time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1247)

The ayes were, 88:

Alt	Gluba	McElroy	Scott
Anania	Grassley	Mendenhall	Shaw
Andersen	Hamilton	Menefee	Siglin
Bergman	Hansen	Middleswart	Small
Blouin	Harbor	Miller	Stanley
Bray	Hill	Moffitt	Stokes
Camp	Husak	Mollett	Strand
Campbell	Jesse	Monroe	Stromer
Clark	Kehe	Nielsen	Strothman
Cochran	Kelly	Norpel	Taylor
Curtis	Kennedy	Nystrom	Tieden
Den Herder	Kinley	Pellett	Trowbridge
Dougherty	Knoblauch	Pelton	Uban
Doyle	Knoke	Pierson	Varley
Drake	Kreamer	Priebe	Waugh
Dunton	Kruse	Rex	Wells
Edelen	Larson	Rodgers	Willits
Egenes	Lawson	Roorda	Winkelman
Ellsworth	Lipsky	Sargisson	Wirtz
Ewell	Logemann	Schmeiser	Wyckoff
Fischer, H. O.	Mayberry	Schroeder	Mr. Speaker
Fisher, C. R.	McCormick	Schwieger	(Millen)
Freeman			

The nays were, 4:

Holden	Radl	Sorg	Welden
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Absent or not voting, 8:

Bennett	Franklin	Johnston	Schwartz
Christensen	Goode	Patton	Skinner

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

SENATE AMENDMENT CONSIDERED

Rex of Hamilton called up for consideration **House File 1120**, a bill for an act relating to notification of property owners of adjustment of real property assessments, amended by the Senate, and moved that the House concur in the following Senate amendment:

Amend House File 1120, line 16, by striking the words "March fifteenth" and inserting in lieu thereof the words "April first".

Motion prevailed and the House concurred in the Senate amendment.

Rex of Hamilton moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its repassage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1120)

The ayes were, 83:

Anania	Grassley	Middleswart	Siglin
Andersen	Hamilton	Miller	Sorg
Bergman	Hansen	Moffitt	Stanley
Blouin	Harbor	Monroe	Stokes
Camp	Hill	Nielsen	Strand
Campbell	Husak	Norpel	Stromer
Clark	Kehe	Nystrom	Strothman
Cochran	Kelly	Pellet	Taylor
Curtis	Kinley	Pelton	Tieden
Dougherty	Knoke	Pierson	Trowbridge
Doyle	Kreamer	Priebe	Uban
Drake	Kruse	Radl	Varley
Dunton	Larson	Rex	Waugh
Edelen	Lawson	Rodgers	Welden
Egenes	Lipsky	Roorda	Wells
Ellsworth	Logemann	Sargisson	Willits
Ewell	Mayberry	Schmeiser	Winkelman
Fischer, H. O.	McCormick	Schroeder	Wirtz
Fisher, C. R.	McElroy	Schwieger	Wyckoff
Freeman	Mendenhall	Scott	Mr. Speaker
Gluba	Menefee	Shaw	(Millen)

The nays were, 4:

Bray	Jesse	Kennedy	Small
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Absent or not voting, 18:

Alt	Franklin	Johnston	Patton
Bennett	Goode	Knoblauch	Schwartz
Christensen	Holden	Mollett	Skinner
Den Herder			

The bill having received a constitutional majority was declared to have repassed the House and the title was agreed to.

CONSIDERATION OF BILLS

Senate File 1030, a bill for an act pertaining to the council of social services, with report of committee recommending passage, was taken up for consideration.

Clark of Lee asked and received unanimous consent that the Chief Clerk be authorized to correct the title.

Clark of Lee offered the following amendment filed by him:

Amend the title to Senate File 1030 by striking all after the word "Act" and inserting in lieu thereof the following: "relating to the recording of blind, deaf and handicapped persons by the assessor."

The amendment was adopted.

Clark of Lee moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 1030)

The ayes were, 85:

Alt	Grassley	Menefee	Shaw
Anania	Hamilton	Middleswart	Siglin
Andersen	Hansen	Miller	Small
Bergman	Harbor	Moffitt	Sorg
Blouin	Hill	Mollett	Stanley
Bray	Holden	Nielsen	Stokes
Camp	Husak	Norpel	Strand
Campbell	Jesse	Nystrom	Stromer
Clark	Kehe	Pellett	Strothman
Curtis	Kelly	Pelton	Taylor
Den Herder	Kinley	Pierson	Tieden
Dougherty	Knoke	Priebe	Trowbridge
Doyle	Kreamer	Radl	Uban
Drake	Kruse	Rex	Varley
Dunton	Larson	Rodgers	Waugh
Edelen	Lawson	Roord	Welden
Egenes	Lipsky	Sargisson	Willits
Ellsworth	Logemann	Schmeiser	Winkelman
Ewell	Mayberry	Schroeder	Wyckoff
Fisher, C. R.	McCormick	Schwieger	Mr. Speaker
Freeman	McElroy	Scott	(Millen)
Gluba	Mendenhall		

The nays were, none.

Absent or not voting, 15:

Bennett	Franklin	Knoblauch	Skinner
Christensen	Goode	Monroe	Wells
Cochran	Johnston	Patton	Wirtz
Fischer, H. O.	Kennedy	Schwartz	

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

REFERRED TO COMMITTEE ON COMMERCE
(House File 1246)

Mendenhall of Allamakee asked and received unanimous consent that House File 1246 now on the ways and means calendar be referred to the committee on commerce.

The House was recessed until 1:30 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Harbor in the chair.

CONSIDERATION OF BILLS
REGULAR CALENDAR

House File 1258, a bill for an act to amend chapter 183, Acts of the Sixty-fourth General Assembly relating to motor vehicle

inspection to extend the time within which a vehicle failing inspection must be repaired, to require inspection upon the transfer of a motor vehicle, to lengthen the period within which a motor vehicle must be inspected prior to transfer, and to permit the regrooving of specially designed tires, was taken up for consideration.

Schroeder of Pottawattamie moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1258)

The ayes were, 82:

Alt	Hamilton	Moffitt	Small
Anania	Hansen	Monroe	Sorg
Andersen	Hill	Nielsen	Stanley
Bergman	Holden	Norpel	Stokes
Blouin	Husak	Nystrom	Strand
Bray	Jesse	Pellet	Stromer
Camp	Kehe	Pelton	Strothman
Campbell	Knoblauch	Pierson	Taylor
Clark	Knoke	Priebe	Tieden
Cochran	Kreamer	Radl	Trowbridge
Curtis	Kruse	Rex	Uban
Dougherty	Larson	Rodgers	Varley
Doyle	Lipsky	Roorda	Waugh
Drake	Mayberry	Sargisson	Welden
Dunton	McCormick	Schmeiser	Wells
Egenes	McElroy	Schroeder	Willits
Ellsworth	Mendenhall	Schwieger	Winkelman
Fischer, H. O.	Menefee	Scott	Wirtz
Fisher, C. R.	Middleswart	Shaw	Wyckoff
Gluba	Millen	Siglin	Mr. Speaker
Grassley	Miller		

The nays were, none.

Absent or not voting, 18:

Bennett	Franklin	Kennedy	Mollett
Christensen	Freeman	Kinley	Patton
Den Herder	Goode	Lawson	Schwartz
Edelen	Johnston	Logemann	Skinner
Ewell	Kelly		

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

SIFTING COMMITTEE APPOINTED

Pursuant to Rule 55, the Speaker propounded the question to the House, "Shall a sifting committee be appointed at this time?"

On the question, the vote disclosed that the House favors the appointment of a sifting committee.

The Speaker announced the appointment of the following members to the sifting committee:

Varley of Adair, Chairman
 Millen of Van Buren, Ranking Majority Member
 Cochran of Webster, Ranking Minority Member
 Alt of Polk
 Camp of Clinton
 Den Herder of Sioux
 Fischer of Grundy
 Hansen of Black Hawk
 Mayberry of Webster
 Sargisson of Woodbury
 Shaw of Scott
 Wells of Linn

Varley of Adair moved that the following categories be exempt from the sifting committee calendar:

1. Unfinished business.
2. House Files amended by the Senate.
3. House and Senate Files that are governed by the joint rules of the General Assembly.
4. Motions to reconsider.
5. Conference committee reports, also bills in conference committee.
6. Appropriations calendar.
7. Ways and means calendar.
8. Bills, resolutions or reports originating with the rules committee.
9. Noncontroversial calendar.

The motion prevailed.

WAYS AND MEANS CALENDAR

(SENATE FILE 185 DEFERRED AND PENDING)

SENATE FILE 185 SUBSTITUTED FOR HOUSE FILE 321

Shaw of Scott asked and received unanimous consent to substitute Senate File 185 for House File 321.

Senate File 185, a bill for an act to combine the present county fund for mental health with the state institution fund, redesignating the latter as the county mental health and institutions fund, prescribing the purposes for which such fund may be used, and authorizing a levy therefor, was taken up for consideration.

Rex of Hamilton offered the following amendment from the floor:

Amend Senate File 185, as amended and passed by the Senate, as follows:

Page 7, line 4, by inserting after the word "thereof" the words "*or an amount not exceeding the amount of money raised by a one mill levy within the county, or the affiliated counties, whichever is the lesser amount*".

Rex of Hamilton asked and received unanimous consent that Senate File 185 be deferred.

(Senate File 185 and Rex amendment pending.)

HOUSE FILE 321 WITHDRAWN

Shaw of Scott asked and received unanimous consent to withdraw **House File 321** from further consideration by the House.

SENATE AMENDMENT CONSIDERED

The House resumed consideration of **House File 48**, a bill for an act relating to the movement of oversized mobile homes and vehicles, amended by the Senate as follows:

Amend House File 48 as amended, passed, and reprinted by the House by striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. Section three hundred twenty-one E point three (321E.3), Code 1971, is amended as follows:

321E.3 ESCORTS FOR MOVEMENTS—DISTANCE SCHEDULES.

All movements of mobile homes and other vehicles the width of which, including any load, exceeds the roadway lane width of the highway or street being traversed, shall be under escort. Permits for the movement of *other motor vehicles with indivisible loads exceeding twelve feet five inches in width* [for mobile homes of widths including appurtenances exceeding twelve feet five inches] shall be restricted to maximum trip distances in accordance with the following schedule:

SCHEDULE OF OVER-WIDTH MOVEMENT DISTANCES FOR PAVEMENT WIDTHS OF 24 FEET OR MORE WITH TRAFFIC OF 4,000 OR MORE VEHICLES PER DAY

Load Width (ft.)	Distance (Miles)
13	50
14	50
15	41
16	32
17	23
18	15
19 to 40	10
Over 40	Not allowed

Any mobile home exceeding twelve feet five inches in width, including appurtenances, and not exceeding fourteen feet five inches in width, including appurtenances, may be moved on the highways of this state upon filing of an application for and receiving a single trip permit. Any mobile home exceeding fourteen feet five inches in width, including appurtenances, shall be restricted to maximum trip distances in accordance with the above schedule.

No mobile home exceeding ten feet in width shall be moved according to the provisions of this section, when the recorded wind velocity exceeds twenty miles per hour.

Sec. 2. Section three hundred twenty-one E point six (321E.6), Code 1971, is amended as follows:

321E.6 VARIATIONS IN ROAD WIDTH AND TRAFFIC. A movement

of an indivisible load over a highway or highways having sections carrying varying volumes of traffic and having varying surface widths shall have its permissible total distance computed on the basis of the lowest volume of traffic or the greatest highway width, whichever produces the greater distance by the foregoing schedule. However, no movement over a section or sections carrying a given shorter permissible maximum shall be greater than that shorter maximum and, in computing the distance which would be traveled on a section or sections having a certain width and traffic volume, distances which would be traveled on sections carrying shorter permissible move distances shall be included.

Any mobile home exceeding twelve feet five inches in width, including appurtenances, subject to the provisions of this chapter, shall not move over any highway with a roadway which is less than twenty-four feet in width, except that any mobile home which exceeds twelve feet five inches in width, including appurtenances, but does not exceed fourteen feet five inches in width, including appurtenances, may be moved upon any highway with a roadway which is less than twenty-four feet in width when the mobile home is being moved to a terminous point within the state, provided the mobile home and power unit are accompanied by an official escort approved by the permit issuing authority.

For the purpose of this section the word "terminous point" means a mobile home park site or any site in which the mobile home will be placed permanently and used for human habitation.

Permits for the movement of mobile homes not to exceed fourteen feet five inches in width, including appurtenances, may be granted by the permit issuing authority on highways with roadway widths of less than twenty-four feet, when the issuing authority determines from consideration of roadway characteristics and traffic density that safety will be enhanced. The actual road may be closed to other traffic when the authority determines that safety will be enhanced.

Sec. 3. Section three hundred twenty-one E point eight (321E.8), subsection one (1), Code 1971, is amended as follows:

1. Vehicles with indivisible loads having an over-all width not to exceed twelve feet, five inches or mobile homes including appurtenances not to exceed twelve feet, five inches and an over-all length not to exceed [seventy-feet, zero inches] *eighty-five feet, including the power unit*, may be moved for unlimited distances. The vehicle and load shall not exceed the height of thirteen feet, ten

inches and the total gross weight as prescribed in section 321.463.

Sec. 4. Section three hundred twenty-one E point nine (321E.9), subsection one (1), Code 1971, is amended as follows:

1. Vehicles with indivisible loads having an over-all width not to exceed twelve feet, five inches or mobile homes including appurtenances not to exceed [twelve] *fourteen* feet, five inches and an over-all length not to exceed [eighty] feet, zero inches] *eighty-five* feet, *including the power unit*, may be moved for unlimited distances. No mobile home may be moved under the provisions of this subsection if the actual mobile home unit exceeds [sixty-eight feet in length] *seventy feet in length, including any area occupied by a hitching device*. No unit moved under the provisions of this subsection shall exceed the height as prescribed in section 321.456 and the total gross weight as prescribed in section 321.463.

Sec. 5. Section three hundred twenty-one E point eleven (321E.11), unnumbered paragraph one (1), Code 1971, is amended as follows:

Movements by permit in accordance with this chapter shall be permitted [only] during daylight hours unless it is established by the issuing authority that the movement can be better accomplished at another period of time because of traffic [volume] conditions.

Sec. 6. Section three hundred twenty-one point one (321.1), Code 1971, is amended by adding the following new subsection:

"Daylight hours" means thirty minutes before sunrise to thirty minutes after sunset.

By unanimous consent, the following amendments were withdrawn:

The amendment filed by Shaw of Scott on February 17, 1972, and found on page 550 of the House Journal.

The amendment filed by Millen of Van Buren and Kreamer of Polk on February 21, 1972, and found on page 596 of the House Journal.

The amendment filed by Bennett of Polk on February 17, 1972, and found on page 550 of the House Journal.

The amendment filed by Welden of Hardin on February 18, 1972, and found on pages 581 and 582 of the House Journal.

Kreamer of Polk offered the following amendment filed by him and moved its adoption:

Amend the Senate amendment to House File 48 as follows:

1. Line 64, by inserting after the word "state," the following:

"subject to the maximum trip distance schedule in section three hundred twenty-one E point three (321E.3) of the Code,".

2. By striking lines 70 through 77 inclusive.

Roll call was requested by Kreamer of Polk and Tieden of Clayton.

On the question "Shall the amendment be adopted?"

The ayes were, 31:

Blouin	Hill	McCormick	Shaw
Bray	Jesse	Mendenhall	Siglin
Campbell	Kehe	Millen	Small
Clark	Kennedy	Pierson	Uban
Curtis	Knoke	Radl	Welden
Egenes	Kreamer	Roorda	Willits
Gluba	Larson	Schmeiser	Wirtz
Hansen	Lipsky	Schwieger	

The nays were, 55:

Alt	Ewell	Menefee	Stanley
Anania	Freeman	Middleswart	Stokes
Andersen	Grassley	Miller	Strand
Bergman	Hamilton	Moffitt	Stromer
Camp	Holden	Nielsen	Strothman
Christensen	Husak	Norpel	Taylor
Cochran	Kelly	Pellett	Tieden
Den Herder	Kinley	Priebe	Trowbridge
Dougherty	Knoblauch	Rex	Waugh
Doyle	Kruse	Rodgers	Wells
Drake	Lawson	Sargisson	Winkelman
Dunton	Logemann	Schroeder	Wyckoff
Edelen	Mayberry	Scott	Mr. Speaker
Ellsworth	McElroy	Sorg	

Absent or not voting, 14:

Bennett	Goode	Nystrom	Schwartz
Fischer, H. O.	Johnston	Patton	Skinner
Fisher, C. R.	Mollett	Pelton	Varley
Franklin	Monroe		

The amendment lost.

Schroeder of Pottawattamie moved that the House concur in the Senate amendment.

Roll call was requested by Millen of Van Buren and Schroeder of Pottawattamie.

On the question "Shall the House concur in the Senate amendment?"

The ayes were, 59:

Alt	Fischer, H. O.	Miller	Siglin
Anania	Fisher, C. R.	Moffitt	Stanley
Andersen	Freeman	Mollett	Stokes
Bergman	Grassley	Nielsen	Strand
Camp	Hamilton	Norpel	Stromer
Christensen	Kelly	Nystrom	Strothman
Cochran	Kinley	Pellett	Taylor
Curtis	Knoblauch	Pierson	Tieden
Den Herder	Kruse	Priebe	Trowbridge
Dougherty	Lawson	Rex	Waugh
Doyle	Logemann	Rodgers	Wells
Drake	Mayberry	Roorda	Winkelman
Edelen	McElroy	Sargisson	Wyckoff
Ellsworth	Menefee	Schroeder	Mr. Speaker
Ewell	Middleswart	Scott	

The nays were, 35:

Blouin	Hill	Lipsky	Shaw
Bray	Holden	McCormick	Small
Campbell	Husak	Mendenhall	Sorg
Clark	Jesse	Millen	Uban
Dunton	Kehe	Monroe	Varley
Egenes	Kennedy	Pelton	Welden
Franklin	Knoke	Radl	Willits
Gluba	Kreamer	Schmeiser	Wirtz
Hansen	Larson	Schwieger	

Absent or not voting, 6:

Bennett	Johnston	Schwartz	Skinner
Goode	Patton		

The motion prevailed and the House concurred in the Senate amendment.

Schroeder of Pottawattamie moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its repassage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 48)

The ayes were, 58:

Alt	Fischer, H. O.	Miller	Scott
Anania	Fisher, C. R.	Moffitt	Siglin
Andersen	Freeman	Mollett	Stanley
Bergman	Grassley	Nielsen	Stokes
Camp	Hamilton	Norpel	Strand
Christensen	Kelly	Nystrom	Stromer
Cochran	Kinley	Pellett	Strothman
Curtis	Knoblauch	Pierson	Taylor
Den Herder	Kruse	Priebe	Tieden
Dougherty	Lawson	Rex	Trowbridge
Doyle	Logemann	Rodgers	Waugh
Drake	Mayberry	Roorda	Winkelman
Edelen	McElroy	Sargisson	Wyckoff
Ellsworth	Menefee	Schroeder	Mr. Speaker
Ewell	Middleswart		

The nays were, 35:

Blouin	Holden	McCormick	Small
Bray	Husak	Mendenhall	Sorg
Campbell	Jesse	Millen	Uban
Clark	Kehe	Monroe	Varley
Dunton	Kennedy	Pelton	Welden
Egenes	Knoke	Radl	Wells
Franklin	Kreamer	Schmeiser	Willits
Gluba	Larson	Schwieger	Wirtz
Hansen	Lipsky	Shaw	

Absent or not voting, 7:

Bennett	Hill	Patton	Skinner
Goode	Johnston	Schwartz	

The bill having received a constitutional majority was declared to have repassed the House and the title was agreed to.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File 6, a bill for an act relating to establishing a state building code.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File 1099, a bill for an act relating to the appraisal staff and appraisal manual in the department of revenue.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File 1181, a bill for an act appropriating to the Iowa liquor control commission.

CARROLL A. LANE, Secretary

SENATE AMENDMENT TO HOUSE FILE 6

1 Amend House File 6, as amended and passed by the House, as
 2 follows:
 3 1. Page 2, by inserting after line 2 the following new
 4 section:
 5 "Sec. STATEMENT OF POLICY. It is found and declared
 6 that some governmental subdivisions do not have building codes
 7 and that the building codes which do exist in the governmental
 8 subdivisions of this state, as enacted and applied, are not
 9 uniform and impede the utilization of new and improved
 10 technology, techniques, methods, and materials in the
 11 manufacture and construction of buildings and structures.
 12 Therefore, it is the policy of the state of Iowa to
 13 insure the health, safety, and welfare of its citizens
 14 through the promulgation and enforcement of a state build-

15 ing code.”

16 2. Page 3, line 4, by striking the period and inserting
17 in lieu thereof the following: “except transmission and
18 distribution structures of public utilities.”

19 3. Page 3, by inserting after line 31 the following:
20 “18. ‘Performance objective’ establishes design and
21 engineering criteria without reference to specific methods
22 of construction.”

23 4. Page 4, by striking lines 21 through 24 and inserting
24 in lieu thereof the following new section:

25 “Sec. STATE BUILDING CODE. The state building
26 code commissioner with the approval of the advisory
27 council is hereby empowered and directed to formulate
28 and adopt and from time to time amend or revise and
29 to promulgate, in conformity with and subject to the
30 conditions set forth in this Act, reasonable rules
31 designed to establish minimum safeguards in the erection
32 and construction of buildings and structures, to protect
33 the human beings who live and work in them from fire
34 and other hazards, and to establish regulations to further
35 protect the health, safety and welfare of the public.
36 The rules shall include reasonable provisions for
37 the following:”

38 5. Page 5, by striking lines 2 through 7 and inserting in
39 lieu thereof the following:

40 “1. Provide uniform standards and requirements for
41 construction, construction materials, and equipment through
42 the adoption by reference of applicable national codes
43 where appropriate and providing exceptions when necessary.
44 The rules adopted shall include provisions imposing require-
45 ments reasonably consistent with or identical to recognized
46 and accepted standards contained in performance criteria as
47 developed by nationally recognized model codes such as the
48 model codes prepared by the Building Officials Conference
49 of America, the International Conference of Building
50 Officials, the Southern Building Code Congress, the
51 National Fire Protection Association, the American National
52 Standards Institute, the American Insurance Association,
53 the United States Department of Housing and Urban Develop-
54 ment, the American Standards Association, and the Inter-
55 national Association of Plumbing and Mechanical Officials.”

56 6. Page 6, line 2, by inserting before the period the
57 following: “in the governmental subdivisions which have
58 adopted the state building code or any other building
59 code”.

60 7. Page 6, lines 7 and 8, by striking the words “, provide
61 for inspection fees,”.

62 8. Page 6, line 18, by inserting before the period the
63 following: “only in those governmental subdivisions
64 which have adopted the state building code or any other
65 building code”.

66 9. Page 6, by striking lines 19 through 23.

67 10. Page 7, line 34, by inserting after the word “resolution”
68 the words “or ordinance”.

69 11. Page 7, line 35, by inserting after the word

70 "resolution" the words "or ordinance".

71 12. Page 8, line 4, by inserting after the word
72 "resolution" the words "or ordinance".

73 13. Page 8, line 5, by inserting after the word
74 "resolution" the words "or ordinance".

75 14. Page 8, line 7, by inserting after the word
76 "resolution" the words "or ordinance".

77 15. Page 8, line 9, by inserting after the word
78 "resolution" the words "or ordinance".

79 16. Page 8, line 16, by inserting after the word
80 "resolution" the words "or ordinance".

81 17. Page 8, line 19, by inserting after the word
82 "resolution" the words "or ordinance".

83 18. Page 8, by striking lines 28 through 35.

84 19. Page 9, by striking lines 1 through 8 and insert-
85 ing in lieu thereof the following:

86 "Sec. 12. ALTERNATE MATERIALS AND METHODS OF
87 CONSTRUCTION. The provisions of the state building code
88 shall not prevent the use of any material or method
89 of construction not specifically prescribed therein,
90 provided any such alternate has been approved by the
91 building code commissioner.

92 The commissioner may approve any alternate if he
93 finds that the proper design is satisfactory and that
94 the material, method, or work offered is, for the pur-
95 pose intended, at least the equivalent of that prescribed
96 in the state building code in quality, strength, effective-
97 ness, fire resistance, durability, and safety.

98 The commissioner shall require that sufficient evidence
99 or proof be submitted to substantiate any claim that may
100 be made regarding alternate use."

101 20. Page 9, line 19, by striking the word "At".

102 21. Page 9, by striking lines 20 through 23.

103 22. Page 9, line 24, by striking the words "in the
104 state".

105 23. Page 9, line 35, by striking the words "the
106 variances referred to" and inserting in lieu thereof
107 the following: "any alternate materials or methods
108 of construction approved by the commissioner as pro-
109 vided".

110 24. Page 10, by striking lines 11 and 12 and inserting
111 in lieu thereof the following:

112 "6. Four members of the council shall constitute
113 a quorum. For the purpose of conducting business a
114 majority vote of the council shall be required."

115 25. Page 10, line 17, by striking everything after
116 the period.

117 26. Page 10, by striking line 18.

118 27. Page 10, line 27, by striking the number "1".

119 28. Page 10, by striking lines 28 through 32.

120 29. Page 10, line 33, by striking the letter "b"
121 and inserting in lieu thereof the numeral "1".

122 30. Page 11, line 4, by striking the letter "c"
123 and inserting in lieu thereof the number "2".

- 124 31. Page 11, line 6, by striking the number "(1)"
 125 and inserting in lieu thereof the letter "a".
- 126 32. Page 11, line 8, by striking the number "(2)"
 127 and inserting in lieu thereof the letter "b".
- 128 33. Page 11, by striking lines 10 through 15.
- 129 34. Page 12, lines 27 and 28, by striking the words
 130 "a variance" and inserting in lieu thereof the follow-
 131 ing: "the use of alternate materials or methods of
 132 construction".
- 133 35. Page 14, lines 16 and 17, by striking the words
 134 "of variance or modification".
- 135 36. Page 15, line 19, by striking the word "license,".
- 136 37. Page 15, line 32, by striking the word "license,".
- 137 38. Page 16, line 1, by striking the word "license,".
- 138 39. Page 19, by adding the following new section after
 139 line 25:
 140 "Sec. FEES. For the purpose of obtaining
 141 revenue to defray the costs of administering the pro-
 142 visions of this Act, the commissioner shall establish
 143 by rule and regulation a schedule of fees based upon
 144 the costs of administration which fees shall be collected
 145 from persons whose manufacture, installation or construction
 146 is subject to the provisions of the state building code.
 147 All fees collected by the commissioner shall be
 148 deposited in the state treasury to the credit of the
 149 general fund.
 150 All federal grants to and federal receipts of the
 151 office of state building code commissioner are appro-
 152 priated for the purpose set forth in the federal grants
 153 or receipts."
- 154 40. Page 1, amend the title, line 2, by inserting before
 155 the word "and" the words "provide for the setting of
 156 fees,"; and line 3, by striking the word "Code" and insert-
 157 ing in lieu thereof the word "code".

REPORT OF COMMITTEE ON NONCONTROVERSIAL BILLS

MR. SPEAKER: Your committee on noncontroversial bills begs leave to report that it had the following bills under consideration and recommends that they be placed on the noncontroversial calendar:

- H. F. 354 Relating to regulation of model rocketry for educational, scientific and recreation purposes. By Jesse.
- H. F. 1253 COMMITTEE BILL. Relating to use of ambulance services at university hospital. By committee on social services.
- S. F. 1019 Making the violation of the Iowa Commercial Feed Law of 1964 a misdemeanor. By committee on judiciary.
- H. F. 1259 COMMITTEE BILL. Relating to use of motor vehicle "registration applied for" cards. By committee on transportation.

SORG of Linn, Chairman

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Miller of Marshall, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: House Files 227, 391, 412, 494, 684, 1012, 1036, 1052, 1084 and 1104, and House Joint Resolution 1004.

ELIZABETH R. MILLER
Chairman, House Committee
JOHN C. RHODES
Chairman, Senate Committee

Report adopted.

BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House the following bills: House Files 227, 391, 412, 494, 684, 1012, 1036, 1052, 1084 and 1104, and House Joint Resolution 1004.

RESOLUTION SENT TO THE SECRETARY OF STATE

Miller of Marshall, from the committee on enrolled bills, submitted the following report:

Your committee on enrolled bills, respectfully reports that it has on this 28th day of February, 1972, sent to the Secretary of State for deposit: House Joint Resolution 1004.

ELIZABETH R. MILLER, Chairman

Passed on file.

BILLS SENT TO THE GOVERNOR

Miller of Marshall, from the committee on enrolled bills, submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this 28th day of February, 1972, sent to the Governor for his approval: House Files 227, 391, 412, 494, 684, 1012, 1036, 1052, 1084 and 1104.

ELIZABETH R. MILLER, Chairman

Report adopted.

REPORT OF COMMITTEE

Camp of Clinton, from the committee on appropriations, submitted the following report:

MR. SPEAKER: Your committee on appropriations, to whom was referred **Senate File 1091**, a bill for an act making an appropriation to the depart-

ment of public instruction for the purpose of participating in certain federal programs, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same **do pass**.

CAMP of Clinton, Chairman

AMENDMENTS FILED

1 Amend House File 725 as follows:

2 1. By striking everything after the enacting
3 clause and inserting in lieu thereof the following:
4 "Section 1. Every county shall have a county zon-
5 ing commission to establish the boundaries of the
6 various original districts and establish regulations
7 and restrictions to be enforced therein. The commis-
8 sion shall prepare a preliminary report and hold a
9 public hearing thereon before finally adopting the
10 rules and regulations. After the final adoption of
11 regulations and restrictions and boundaries of dis-
12 tricts the commission may amend, supplement, change
13 or modify the regulations and restrictions.

14 Sec. 2. The county zoning commission shall be
15 composed of five members elected at large and on a
16 nonpartisan basis to a specified seat. Each member
17 shall serve a term of four years, except when commis-
18 sion members are first elected the members elected
19 to the two seats having the lowest numerical designa-
20 tion shall serve for a term of two years. Vacancies
21 shall be filled by appointment by the county board
22 of supervisors for the remainder to the unexpired
23 term and persons appointed must have the same
24 qualifications as persons elected.

25 Sec. 3. The county board of supervisors shall
26 provide for the election of the county zoning com-
27 mission at the general election to be held in 1973.
28 Members elect shall take office on the second secular
29 day of January 1974 and shall hold office until their
30 successors are elected and qualify. The terms of
31 all persons appointed to a county zoning commission
32 prior to the second secular day of January 1974 shall
33 expire on the second secular day of January 1974.

34 Sec. 4. No person shall be elected to the county
35 zoning commission unless he is a qualified elector
36 and resides within the county and outside the cor-
37 porate limits of any city or town located in the
38 county.

39 Sec. 5. The county auditor shall assign each at-
40 large seat on the county zoning commission a numerical
41 designation and the ballot shall be prepared in a
42 manner that informs the electors which candidates
43 are seeking election to each seat. A candidate's
44 name shall not be placed on the ballot as a candidate
45 for any seat other than the one specified in his
46 nomination petition. A candidate shall not file

47 nomination petitions for more than one seat to be
48 filled at the same election. Nomination papers must
49 specify the seat to which the nominee is seeking
50 election.

51 Sec. 6. Any twenty-five or more qualified electors
52 of the county may file a petition in the office of
53 county auditor nominating a person for a specific
54 seat on the county zoning commission. Each peti-
55 tioner shall add to the petition his signature, post
56 office address and date of signing. The petition
57 shall state the name and residence of the nominee.
58 Nomination petitions shall be filed with the county
59 auditor at least fifty-five but not more than eighty
60 days prior to the general election.

61 Sec. 7. Section three hundred fifty-eight A point
62 one (358A.1), Code 1971, is amended to read as fol-
63 lows:

64 358A.1 WHERE APPLICABLE. The provisions of this
65 chapter shall be applicable to [any county] *all counties*
66 of the state [at the option of the board of supervisors
67 of any such county].

68 Sec. 8. Section three hundred fifty-eight A point
69 three (358A.3), Code 1971, is amended to read as fol-
70 lows:

71 358A.3 POWERS. Subject to the provisions of sec-
72 tions 358A.1 and 358A.2, the [board of supervisors]
73 *county zoning commission* of any county is hereby
74 empowered to regulate and restrict the height, number
75 of structures, and size of buildings and other struc-
76 tures, the percentage of lot that may be occupied,
77 the size of yards, courts and other open spaces,
78 the density of population, and the location and use
79 of buildings, structures, and land for trade, industry,
80 residence or other purposes, and to regulate, restrict
81 and prohibit the use for residential purposes of
82 tents, trailers and portable or potentially portable
83 structures; provided that such powers shall be
84 exercised only with reference to land and structures
85 located within the county but lying outside of the
86 corporate limits of any city or town. The [board of
87 supervisors] *county zoning commission* of any county
88 may prescribe and charge a reasonable building per-
89 mit fee, and upon receipt of an application contain-
90 ing all required information, in due form and prop-
91 erly executed, showing that the proposed structure
92 will comply with all applicable regulations of the
93 political subdivision in which it is to be located
94 and upon payment of the required permit fee, the [board
95 of supervisors] *county zoning commission* shall, within
96 seven days, issue a permit to the applicant.

97 Sec. 9. Section three hundred fifty-eight A point
98 four (358A.4), Code 1971, is amended to read as fol-
99 lows:

100 358A.4 AREAS AND DISTRICTS. For any and all of

101 said purposes the [board of supervisors] *county zoning*
102 *commission* may divide the county, or any area or areas
103 within the county, into districts of such number,
104 shape, and area as may be deemed best suited to carry
105 out the purposes of this chapter; and within such
106 districts it may regulate and restrict the erection,
107 construction, reconstruction, alteration, repair,
108 or use of buildings, structures or land. All such
109 regulations and restrictions shall be uniform for
110 each class or kind of buildings throughout each
111 district, but the regulations in one district may
112 differ from those in other districts.

113 Sec. 10. Section three hundred fifty-eight A point
114 six (358A.6), Code 1971, is amended to read as follows:

115 358A.6 PUBLIC HEARINGS. The [board of supervisors]
116 *county zoning commission* shall provide for the manner
117 in which such regulations and restrictions and the
118 boundaries of such districts shall be determined,
119 established, and enforced, and from time to time
120 amended, supplemented or changed. However, no such
121 regulation, restriction, or boundary shall become
122 effective until after a public hearing in relation
123 thereto, at which parties in interest and citizens
124 shall have an opportunity to be heard. At least
125 fifteen days' notice of the time and place of such
126 hearing shall be published in a paper of general
127 circulation in such county. Such notice shall state
128 the location of the district affected by naming the
129 township and section, and the boundaries of such
130 district shall be expressed in terms of streets or
131 roads wherever possible.

132 Sec. 11. Section three hundred fifty-eight A point
133 seven (358A.7), Code 1971, is amended to read as
134 follows:

135 358A.7 CHANGES AND AMENDMENTS. Such regulations,
136 restrictions, and boundaries may, from time to time,
137 be amended, supplemented, changed, modified, or re-
138 pealed. In case, however, of a protest against such
139 change signed by the owners of twenty percent or more
140 either of the area included in such proposed change,
141 or of the area immediately adjacent thereto and within
142 five hundred feet of the boundaries thereof, such
143 amendment shall not become effective except by the
144 favorable vote of at least sixty percent of all of
145 the members of the [board of supervisors] *county zoning*
146 *commission*. The provisions of section 358A.6 relative
147 to public hearings and official notice shall apply
148 equally to all changes or amendments.

149 Sec. 12. Section three hundred fifty-eight A point
150 nine (358A.9), Code 1971, is amended to read as
151 follows:

152 358A.9 ADMINISTRATIVE OFFICER. The [board of
153 supervisors] *county zoning commission* shall appoint
154 an administrative officer authorized to enforce the

155 resolutions or ordinances so adopted by the [board
156 of supervisors] *county zoning commission*. Such
157 administrative officer may be a person holding other
158 public office in the county, or in a city or other
159 governmental subdivision within the county, and the
160 board of supervisors is authorized to pay to such of-
161 ficer out of the general fund such compensation as
162 it shall deem fit.

163 Sec. 13. Section three hundred fifty-eight A point
164 ten (358A.10), Code 1971, is amended to read as follows:

165 358A.10 BOARD OF ADJUSTMENT. The board of super-
166 visors shall provide for the appointment of a board
167 of adjustment, and in the regulations and restrictions
168 adopted pursuant to the authority of this chapter
169 shall provide that the said board of adjustment may,
170 in appropriate cases, and subject to appropriate con-
171 ditions and safeguards, make special exceptions to
172 the terms of the ordinances or regulations in harmony
173 with its general purpose and intent and in accord-
174 ance with the general or specific rules therein con-
175 tained, and provide that any property owner aggrieved
176 by the action of the [board of supervisors] *county*
177 *zoning commission* in the adoption of such regula-
178 tions and restrictions may petition the said board
179 of adjustment direct to modify regulations and re-
180 strictions as applied to such property owners.

181 Sec. 14. Section three hundred fifty-eight A point
182 eleven (358A.11), Code 1971, is amended to read as
183 follows:

184 358A.11 MEMBERSHIP OF BOARD. The board of ad-
185 justment shall consist of five members each to be
186 appointed for a term of five years, excepting that
187 when the board shall first be created one member shall
188 be appointed for a term of five years, one for a term
189 of four years, one for a term of three years, one
190 for a term of two years, and one for a term of one
191 year. Members shall be removable for cause by the
192 appointing authority upon written charges and after
193 public hearing. Vacancies shall be filled for the
194 unexpired term of any member whose term becomes vacant.
195 *Persons appointed to the board of adjustment must*
196 *reside within the county and outside the corporate*
197 *boundary of any city or town.*

198 Sec. 15. Section three hundred fifty-eight A point
199 twenty-three (358A.23), Code 1971, is amended to read
200 as follows:

201 358A.23 RESTRAINING ORDER. In case any build-
202 ing or structure is erected, constructed, recon-
203 structed, altered, repaired, converted, or maintained;
204 or any building, structure, or land is used in
205 violation of this chapter or of any ordinance or other
206 regulation made under authority conferred thereby,
207 the [board of supervisors] *county zoning commission*,
208 in addition to other remedies, may institute any

209 appropriate action or proceedings to prevent such
 210 unlawful action, construction, reconstruction,
 211 alteration, repair, conversion, maintenance, or use,
 212 to restrain, correct, or abate such violation, to
 213 prevent the occupancy of said building, structure,
 214 or land, or to prevent any illegal act, conduct, busi-
 215 ness, or use in or about such premises.

216 Sec. 16. Section three hundred fifty-eight A point
 217 twenty-five (358A.25), Code 1971, is amended to read
 218 as follows:

219 358A.25 PLUMBING CODE ENFORCED. Subject to the
 220 provisions of sections 358A.1 and 358A.2, the [board
 221 of supervisors] *county zoning commission* of any county
 222 is further authorized to adopt regulations to provide
 223 that every dwelling, whether now or hereafter erected
 224 within the county but outside the corporate limits
 225 of any city or town which shall develop a private
 226 water supply or install a pressure water system or
 227 install sanitary house drains, shall comply with the
 228 recommendations of the state department of health
 229 on minimum requirements as set out in the state
 230 plumbing code* in regard to such development or
 231 installation. Any such regulation may be enforced
 232 in the same manner as any other regulation adopted
 233 under this chapter.

234 Sec. 17. Section three hundred fifty-eight A point
 235 eight (358A.8), Code 1971, is repealed."

236 2. Page 1, lines 1 and 2, by amending the title
 237 by striking everything after the word "Act" and in-
 238 serting in lieu thereof the following: "relating
 239 to county zoning commissions and boards of adjustment."

COMMITTEE ON COUNTY GOVERNMENT
REX of Hamilton, Chairman

1 Amend the Senate amendment to House File 734 as
 2 follows:

3 1. By adding the following new section after line 280:
 4 "Sec. 12. An advertising device shall not be constructed
 5 or reconstructed beyond the adjacent area within visible
 6 distance of the main-traveled way of interstate highways or
 7 primary highways in unincorporated areas of the state of
 8 Iowa except advertising devices as described in section
 9 eleven (11), subsections one (1), and two (2), of this Act."

10 2. Lines 486 and 487, by striking the words "in an
 11 adjacent area".

12 3. By renumbering sections and correcting internal
 13 references in conformance to the provisions of this
 14 amendment.

VARLEY of Adair

1 Amend the Senate amendment to House File 734 as
 2 follows:

3 1. Line 224 by striking the words " freeway primary,"
 4 and inserting in lieu thereof the word "highways".

5 2. Lines 240 and 242 by striking the words "Signs,

- 6 displays, and devices advertising" and inserting in lieu
7 thereof the words "Advertising devices concerning".
8 3. Line 247 by striking the words "Signs adjacent to
9 such highways" and inserting in lieu thereof the words
10 "Advertising devices within the adjacent area".
11 4. Line 252 by striking the words "Signs upon or along
12 such highways" and inserting in lieu thereof the words
13 "Advertising devices within the adjacent area".
14 5. Lines 254 and 255 by striking the words "signs and
15 notices" wherever they appear and inserting in lieu thereof
16 the words "advertising devices".
17 6. Line 264 by striking the words "Signs, displays, and"
18 and inserting in lieu thereof the word "Advertising".
19 7. Lines 282, 320, 336, 338, 340, 376, 387, 393,
20 395, 416, 420, and 453 by striking the word "signs" wherever
21 it appears and inserting in lieu thereof the words
22 "advertising devices".
23 8. Lines 289, 299, and 309 by striking the words
24 "Signs adjacent to" wherever they appear and inserting in
25 lieu thereof the words "Advertising devices located within
26 the adjacent area of".
27 9. Lines 153, 291, 298, 300, 302, 310, 312, 322,
28 326, 328, 364, 365, 398, 405, 410, 433, 456, 458, 462,
29 471, 486, 490, 495, 496, 501, 503, 510, 511, 512, 516,
30 518, and 545 by striking the word "sign" wherever it appears
31 and inserting in lieu thereof the words "advertising device".
32 10. Lines 159 and 521 by striking the words "a sign"
33 wherever they appear and inserting in lieu thereof the words
34 "an advertising device".
35 11. Line 293 by striking the word "A sign" and
36 inserting in lieu thereof the words "An advertising device".
37 12. Line 330 by striking the words "signs and signs
38 advertising" and inserting in lieu thereof the words
39 "advertising devices and advertising devices concerning".
40 13. Lines 423, 426, and 430 by striking the word
41 "Signs" wherever it appears and inserting in lieu thereof
42 the words "Advertising devices".
43 14. Lines 441 and 442, and 443 by striking the words
44 "sign, display, or" wherever they appear and inserting in
45 lieu thereof the word "advertising".
46 15. Line 445 by striking the words "a sign, display, or"
47 and inserting in lieu thereof the words "an advertising".
48 16. Line 446 by striking the words "signs, displays,
49 and" and inserting in lieu thereof the word "advertising".
50 17. Line 460 by striking the word "display" and
51 inserting in lieu thereof the words "advertising device".
52 18. Line 494 by adding before the word "device" the
53 word "advertising".

VARLEY of Adair

- 1 Amend House File 1017, page 2, lines 16 and 17 by
2 striking the words "one hundred" and inserting
3 in lieu thereof the words "two hundred fifty".

NIELSEN of Shelby
CAMPBELL of Washington

1 Amend House File 1076 as follows:

2 1. Page 1, by striking line 23, and inserting in
3 lieu thereof the following:

4 *"week. Such overtime shall be payable in accor-*
5 *dance with one of the following options:*

6 a. *All overtime shall be paid in cash.*

7 b. *All overtime shall be compensated for at the*
8 *rate of one and one-half hour of time off*
9 *for each hour of overtime worked. Compensatory time*
10 *off shall be granted as soon as possible after it is*
11 *earned and shall be utilized by the employee within*
12 *one year of the date earned, except that at the dis-*
13 *cretion of the director of highways compensation may*
14 *be by cash in lieu of compensatory time off.*

15 c. *All overtime shall be paid in a combination of*
16 *cash and compensatory time off. The option to be used*
17 *each fiscal year within each department of the state*
18 *highway commission shall be chosen by a majority vote*
19 *of all employees within each department of the state*
20 *highway commission. Such vote shall be conducted by*
21 *the organization of Iowa highway commission employees,*
22 *or such successor employee organization as the member-*
23 *ship of the organization of Iowa highway commission*
24 *employees may direct. If option c is chosen, the*
25 *combination of cash and compensatory time off may be*
26 *expressed in multiples of ten percent, as may be deter-*
27 *mined by those voting. The options so determined by*
28 *the employees in each department of the state highway*
29 *commission shall be adopted as the basis for overtime*
30 *compensation during the subsequent fiscal year.*
31 *Departments may vary in their choice of option."*

NYSTROM of Boone

1 Amend House File 1143 as follows:

2 1. Page 2, by striking lines 10 through 14,
3 inclusive, and inserting in lieu thereof the following:

4 *"cessive intervals of not more than one year in*
5 *amounts sufficient to amortize the entire loan, includ-*
6 *ing charges, within a period of not more than [five]*
7 *fifteen years provided, however, that the first install-*
8 *ment may be deferred to not more than fifteen months*
9 *from the date of the loan."*

10 2. Page 2, by striking lines 27 through 35,
11 inclusive, and inserting in lieu thereof the following:

12 *"sive intervals of not more than one month in*
13 *amounts sufficient to amortize the entire loan, includ-*
14 *ing charges, within the period ending on the date of*
15 *its maturity which shall not exceed [five] fifteen years*
16 *provided, however, that installments may be deferred*
17 *or omitted on a seasonal basis. If the total charge*
18 *is included in the total amount of the loan as provided*
19 *for in this paragraph, a first interval of not less*
20 *than fifteen nor more than forty-five days may be*
21 *treated as a monthly interval."*

FREEMAN of Buena Vista

- 1 Amend House File 1156 as follows:
 2 1. Page 3, line 21, by adding after the period
 3 the following:
 4 "However, they may not by any contract or agree-
 5 ment make any commitment to expend or obligate
 6 state funds in excess of the amount which has pre-
 7 viously been appropriated."
 8 2. Page 3, by striking all of lines 25 through
 9 line 27.

WELDEN of Hardin

- 1 Amend House File 1265 as follows:
 2 1. Page 6, by striking all of lines 25
 3 through 35.
 4 2. Page 7, by striking all of lines 1 through
 5 6.

SHAW of Scott

- 1 Amend Senate File 79, page 2, by striking in lines
 2 10 and 11 the words "public or".

CAMPBELL of Washington

- 1 Amend Senate File 185 as amended and passed by the
 2 Senate, page 3, by inserting after line 35 the follow-
 3 ing:
 4 "Should any county fail to levy a tax sufficient
 5 to meet the expenses which the county is required to
 6 pay, or which the board of supervisors chooses to
 7 pay, from the county mental health and institutions
 8 fund pursuant to this section, the deficiency shall
 9 be met by transfer of funds from the county general
 10 fund to the county mental health and institutions fund."

KNOKE of Pottawattamie
 SCHROEDER of Pottawattamie

- 1 Amend Senate File 185, as amended and passed by the
 2 Senate, as follows:
 3 Page 6, line 24, by inserting after the period the
 4 following:
 5 "*However, the county board of supervisors shall not*
 6 *expend from such fund for treatment in an established*
 7 *mental health center an amount which exceeds the*
 8 *amount of money raised by a one mill levy within the*
 9 *county.*"

REX of Hamilton

- 1 Amend Senate File 185, as amended and passed by
 2 the Senate, page 3, by inserting after line 11 the
 3 following new paragraph:
 4 "The board of supervisors may require that any
 5 person who has received mental health services for
 6 which the county is being requested to pay, pursuant
 7 to this section, be identified by the individual,
 8 community mental health center, or state institution
 9 presenting the request for payment. It shall be a

10 misdemeanor for the board of supervisors, any member
 11 thereof, or any county officer to divulge to any
 12 other person the name of any patient who has received
 13 mental health services for which the county has paid
 14 or been requested to pay, without the patient's
 15 written consent."

PRIEBE of Kossuth

1 Amend Senate File 566, as amended and passed by
 2 the Senate, as follows:

3 1. Page 2, line 13, by striking the words "upon
 4 commencement of employment" and inserting in lieu
 5 thereof the following:

6 "not later than at the end of the first six
 7 months of employment,".

8 2. Page 2, line 24, by adding before the word
 9 "injury", the word "demotion,".

10 3. Page 2, line 25, by adding after the word
 11 "strike," the following:

12 "misrepresentation of the job by the employment
 13 agency or the employer,".

KREAMER of Polk
 JESSE of Polk

1 Amend the Camp amendment filed February 23, 1972,
 2 to Senate File 1003 as amended, passed, and reprinted
 3 by the Senate, as follows:

4 1. Line 20, after the period, insert the words
 5 "However, during the biennium ending June 30, 1973,
 6 the director shall cause the county to be paid, so
 7 far as possible, from the amount appropriated to the
 8 department of social services for child support
 9 recoveries, as provided in chapter sixty-five (65),
 10 section one (1), subsection five (5), Acts of the
 11 Sixty-fourth General Assembly, First Session."

12 2. Line 60, after the period, insert the words
 13 "However, during the biennium ending June 30, 1973,
 14 the director shall cause the county to be paid, so
 15 far as possible, from the amount appropriated to the
 16 department of social services for child support
 17 recoveries, as provided in chapter sixty-five (65),
 18 section one (1), subsection five (5), Acts of the
 19 Sixty-fourth General Assembly, First Session."

CAMP of Clinton

On motion by Varley of Adair, the House adjourned until 9:00
 a.m., Tuesday, February 29, 1972.

JOURNAL OF THE HOUSE

Fifty-first Calendar Day—Thirty-seventh Session Day

HALL OF THE HOUSE OF REPRESENTATIVES
DES MOINES, IOWA, TUESDAY, FEBRUARY 29, 1972

The House met pursuant to adjournment, Speaker Harbor in the chair.

The following prayer was offered by the Reverend Paul Mork, president of Waldorf College, Forest City, Iowa:

“Dear God, You understand the pressures under which we live. The pressure of time itself. You realize how we waste time, even kill time. Teach us to redeem time.

Lord, You understand the special pressures under which these leaders of our state must work. As they are bombarded with special interest groups help them to listen, to think and to act with wisdom. Help them, O Lord, not to confuse size with significance. Help them not to confuse the good things with the good life.

O God, make them all feel the pressure of the marvelous opportunity you have given them to serve the people of this state. May they never take it lightly. Help them to see the issues of this session on the wide screen of the whole state of Iowa. Teach them when to listen, when to speak, and yes, when to shut up and sit down.

Finally, Lord, make us all mindful during this Lenten season of Him Who came ‘not to be served but to serve and to give His life a ransom for many.’ Make service to others the style of our living. Now let our prayer be lives of grateful service. In the name of Christ our Lord, AMEN.”

The Journal of Monday, February 28, 1972, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Fred Ashler, Hamburg, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Waugh of Monona by the Speaker; Hill of Polk on request of Knoke of Pottawattamie; Ellsworth of Dubuque and Fischer of Grundy on request of Bergman of Osceola; Bennett of Polk on request of Ewell of Black Hawk.

ADOPTION OF COMMITTEE REPORT

The Chief Clerk announced the adoption of report of committee on Senate File 1091, under Rule 35.

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Five senior government class students from Hamburg High School, Hamburg, Iowa, accompanied by Dr. Ashler, legislative physician for the day. By McElroy of Fremont.

Fifty eighth grade students from St. Augustin's School, Des Moines, Iowa, accompanied by Nancy Jnoble and Leone Whithead. By Hill of Polk.

Forty-five senior students from Southeast Warren School, accompanied by Mrs. Mabel Cole and Mr. Burrell. By Middle-swart of Warren.

Twenty-eight senior students from Arnolds Park School, Arnolds, Park, Iowa, accompanied by Mike May. By Bergman of Osceola.

The senior class from Rockford Senior High School, Rockford, Iowa, accompanied by Gary Achenback and Robert Sinclair. By Grassley of Butler.

Forty senior students from Armstrong High School, Armstrong, Iowa, accompanied by Ken Fisher and Mr. Klink. By Edelen of Emmet.

Forty-three students from Maquoketa Junior High School, Maquoketa, Iowa, accompanied by Charlie Sheridan. By Norpel of Jackson.

POINT OF PERSONAL PRIVILEGE

Kelly of Woodbury rose on a point of personal privilege and brought to the attention of the House that this is the first time the Legislature has ever been in session on February 29 of the leap year.

PETITIONS FILED

The following petitions were received and placed on file:

By McElroy of Fremont from twenty-six residents of Page County favoring House File 1247, favoring statewide educational television.

By Hansen of Black Hawk from eighty employees of the City of Waterloo favoring improvements in the Iowa Employees Retirement pensions and passage of the collective bargaining bill.

By Harbor of Mills from one hundred one southwest Iowa sportsmen opposing Senate File 356, relating to gun laws.

By Lawson of Cerro Gordo from forty residents of Winnebago County favoring the purchase of approximately 400 acres of timberland directly northeast of Pilot Knob State Park for recreational use.

INTRODUCTION OF BILLS

House File 1275, by committee on judiciary, a bill for an act relating to dissolution of marriage.

Read first time and **passed on file**.

House File 1276, by committee on ways and means, a bill for an act relating to the private sale, control, and distribution of wine containing not more than seventeen percent alcohol by weight, declaring certain acts to be unlawful and prescribing penalties therefor.

Read first time and **placed on the calendar**.

House File 1277, by committee on ways and means, a bill for an act relating to the apportionment of property valuation of certain electric power generating plants.

Read first time and **placed on the calendar**.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has concurred in the House amendment to and passed Senate File 1030, a bill for an act requiring the council of social services to prepare a list of handicapped persons.

Also: That the Senate has refused to concur in the House amendment to Senate File 428, a bill for an act to provide for a unified trial court.

Also: That the Senate has adopted the conference committee report and the amendments contained therein and failed to pass Senate File 431, a bill for an act relating to hunting restrictions.

Also: That the Senate has concurred in House amendment to and passed the following bill:

Senate File 1008, a bill for an act relating to bank holding companies.

Also: That the Senate has adopted the following concurrent resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution 112, extending congratulations to the Fort

Madison Aquinas High School Band for their invitation to attend the 1972 Olympic Marching Band Tour and Competition.

CARROLL A. LANE, Secretary

ADOPTION OF HOUSE MEMORIAL RESOLUTION

Franklin of Polk offered the following House memorial resolution and moved its adoption:

HOUSE MEMORIAL RESOLUTION

Whereas, The Honorable Mattie Belle Bogenrief of Polk County, who was a member of the Sixty-first session of the General Assembly from Polk County, passed away on June 14, 1971; now, therefore,

Be It Resolved by the House of Representatives, That a committee of three be appointed by the Speaker of the House to prepare suitable resolutions commemorating her life, character, and service to the state.

The motion prevailed and the Speaker appointed as such committee Franklin of Polk, Jesse of Polk and Kinley of Polk.

CONSIDERATION OF BILLS

REGULAR CALENDAR

House File 1207, a bill for an act relating to the hunting of migratory waterfowl, the issuance of stamps, and the collection of fees, was taken up for consideration.

Kelly of Woodbury moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1207)

The ayes were, 63

Anania	Fisher, C. R.	Mendenhall	Shaw
Andersen	Freeman	Menefee	Small
Bergman	Gluba	Millen	Sorg
Blouin	Grassley	Miller	Stanley
Bray	Hamilton	Mollett	Strand
Camp	Kelly	Nielsen	Stromer
Campbell	Kennedy	Pelton	Taylor
Clark	Knoke	Pierson	Tieden
Curtis	Kreamer	Priebe	Trowbridge
Den Herder	Kruse	Rex	Varley
Dougherty	Larson	Rodgers	Wells
Doyle	Lawson	Roorda	Willits
Drake	Logemann	Sargisson	Winkelman
Dunton	Mayberry	Schroeder	Wirtz
Egenes	McCormick	Schwartz	Mr. Speaker
Ewell	McElroy	Scott	

The nays were, 8:

Edelen	Monroe	Schmeiser	Strothman
Moffitt	Norpel	Stokes	Wyckoff

Absent or not voting, 29:

Alt	Hansen	Kinley	Radl
Bennett	Hill	Knoblauch	Schwieger
Christensen	Holden	Lipsky	Siglin
Cochran	Husak	Middleswart	Skinner
Ellsworth	Jesse	Nystrom	Uban
Fischer, H. O.	Johnston	Patton	Waugh
Franklin	Kehe	Pellett	Welden
Goode			

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

Speaker pro tempore Millen in the chair at 9:25 a.m.

UNFINISHED BUSINESS

SENATE FILE 185 DEFERRED

The House resumed consideration of Senate File 185, a bill for an act to combine the present county fund for health with the state institution fund, redesignating the latter as the county mental health and institutions fund, prescribing the purposes for which such fund may be used and authorizing a levy therefor.

Rex of Hamilton asked and received unanimous consent to withdraw the amendment filed by him on February 28, 1972, and found on page 811 of the House Journal.

Rex of Hamilton offered the following amendment filed by him:

Amend Senate File 185, as amended and passed by the Senate, as follows:

Page 6, line 24, by inserting after the period the following:

"However, the county board of supervisors shall not expend from such fund for treatment in an established mental health center an amount which exceeds the amount of money raised by a one mill levy within the county."

Rex of Hamilton offered the following amendment to his amendment and moved its adoption:

Amend the Rex amendment to Senate File 185, filed February 28, 1972, line 8, by inserting after the word "one" the words "and one-half".

The amendment to the amendment was adopted.

Rex of Hamilton moved the adoption of his amendment as amended.

Roll call was requested by Rex of Hamilton and Strothman of Henry.

On the question "Shall the amendment as amended be adopted?"

The ayes were, 49:

Anania	Husak	Pelton	Stokes
Bergman	Kehe	Pierson	Strand
Camp	Kruse	Priebe	Stromer
Campbell	Logemann	Radl	Strothman
Christensen	McElroy	Rex	Taylor
Cochran	Mendenhall	Roorda	Tieden
Curtis	Menefee	Sargisson	Trowbridge
Dougherty	Middelswart	Schmeiser	Winkelman
Edelen	Miller	Schroeder	Wirtz
Fisher, C. R.	Mollett	Schwartz	Wyckoff
Freeman	Nielsen	Scott	Mr. Speaker
Grassley	Norpel	Siglin	(Millen)
Hamilton	Pellet		

The nays were, 34:

Alt	Egenes	Knoblauch	Rodgers
Andersen	Ewell	Knoke	Shaw
Blouin	Franklin	Larson	Small
Bray	Gluba	Lipsky	Sorg
Clark	Hansen	Mayberry	Stanley
Den Herder	Jesse	McCormick	Varley
Doyle	Johnston	Moffitt	Wells
Drake	Kelly	Monroe	Willits
Dunton	Kennedy		

Absent or not voting, 17:

Bennett	Hill	Lawson	Skinner
Ellsworth	Holden	Nystrom	Uban
Fischer, H. O.	Kinley	Patton	Waugh
Goode	Kreamer	Schwieger	Welden
Harbor			

The amendment as amended was adopted.

Priebe of Kossuth offered the following amendment filed by him and moved its adoption:

Amend Senate File 185, as amended and passed by the Senate, page 3, by inserting after line 11 the following new paragraph:

"The board of supervisors may require that any person who has received mental health services for which the county is being requested to pay, pursuant to this section, be identified by the individual, community mental health center, or state institution presenting the request for payment. It shall be a misdemeanor for the board of supervisors, any member thereof, or any county officer to divulge to any

other person the name of any patient who has received mental health services for which the county has paid or been requested to pay, without the patient's written consent."

A non-record roll call was requested.

The ayes were 60, nays 17.

The amendment was adopted.

Varley of Adair asked and received unanimous consent that **Senate File 185** be deferred and retained on the calendar under **unfinished business**.

MOTION TO RECONSIDER AMENDMENT

(Senate File 185)

I hereby move to reconsider the vote by which the Rex amendment to Senate File 185, filed February 28, 1972, was adopted by the House on February 29, 1972.

SCHROEDER of Pottawattamie

MOTION TO RECONSIDER

(Priebe Amendment to Senate File 185)

I move to reconsider the vote by which the Priebe amendment to Senate File 185, filed February 28, 1972, was adopted by the House on February 29, 1972.

BRAY of Scott

REGULAR CALENDAR

House File 291, a bill for an act to abolish the county school system, with report of committee recommending passage, was taken up for consideration.

Speaker Harbor in the chair at 11:00 a.m.

Grassley of Butler moved that the Grassley, et al., amendment filed on February 24, 1972, and found on pages 714 through 764 of the House Journal be substituted for the amendment filed by the committee on schools on February 23, 1972, and found on pages 642 through 692 of the House Journal.

Roll call was requested by Grassley of Butler and Stromer of Hancock.

On the question "Shall the Grassley, et al., amendment be substituted for the committee amendment?"

The ayes were, 60:

Alt	Freeman	Middleswart	Scott
Anania	Grassley	Millen	Shaw
Bergman	Hamilton	Miller	Small
Bray	Hansen	Moffitt	Stanley
Camp	Holden	Monroe	Stokes
Clark	Johnston	Pellett	Strand
Cochran	Knoblauch	Pierson	Stromer
Curtis	Knoke	Priebe	Taylor
Den Herder	Kreamer	Rex	Trowbridge
Dougherty	Kruse	Rodgers	Varley
Drake	Lawson	Roorda	Welden
Dunton	Logemann	Schmeiser	Wells
Edelen	Mayberry	Schroeder	Willits
Egenes	Mendenhall	Schwartz	Wirtz
Franklin	Menefee	Schwieger	Mr. Speaker

The nays were, 29:

Andersen	Husak	McCormick	Sargisson
Blouin	Jesse	McElroy	Sorg
Campbell	Kelly	Nielsen	Strothman
Christensen	Kennedy	Norpel	Tieden
Doyle	Kinley	Nystrom	Uban
Ewell	Larson	Pelton	Winkelman
Fisher, C. R.	Lipsky	Radl	Wyckoff
Gluba			

Absent or not voting, 11:

Bennett	Goode	Mollett	Skinner
Ellsworth	Hill	Patton	Waugh
Fischer, H. O.	Kehe	Siglin	

The motion prevailed.

The House was recessed until 1:30 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Harbor in the chair.

The House resumed consideration of **House File 291** and the substitute amendment filed by Grassley, et al., filed on February 24, 1972, and found on pages 714 through 764 of the House Journal.

Ewell of Black Hawk offered from the floor the following amendment to the Grassley, et al., amendment and moved its adoption:

Amend the Grassley, et al., amendment to House File 291, filed February 24, 1972, by striking all of lines 4 through 2763 and inserting in lieu thereof the following:

"Section 1. Chapter two hundred eighty A (280A), Code 1971, is amended by adding the following new sections:

1. No later than July 1, 1974, all territory in the state shall be included in a joint county system formed by the merger of at least three county school systems, except that a joint county system may be formed by the merger of two county school systems if the total combined average daily membership for the preceding school year of public and nonpublic schools in the two county school systems exceeds thirty thousand pupils in grades kindergarten through twelve. Mergers shall be effected pursuant to the provisions of sections two hundred seventy-three point twenty-two (273.22) and two hundred seventy-three point twenty-three (273.23) of the Code.

2. The state board of public instruction at its meeting on January 3, 1975 shall attach any county or joint county system not meeting the requirements of section two (2) of this Act to an adjacent joint county system which meets the requirements of section two (2) of this Act.

Sec. 2. Section two hundred seventy-three point thirteen (273.13), subsection ten (10), Code 1971, is amended to read as follows:

10. At the regular or special meeting held between July 1 and July 15, consider the budget as submitted by the county superintendent, and certify to the county auditor the estimates of the amounts needed. Such estimates shall follow the budget procedures under chapter 24. The boards or board of supervisors of the county or counties, territory which comprises the territory of the county school system, shall levy a tax on all the taxable property in the county school system for the amount certified. *After July 1, 1974 the property tax levy shall not exceed three and one-half mills for a joint county system.*"

Roll call was requested by Ewell of Black Hawk and Grassley of Butler.

On the question "Shall the amendment to the amendment be adopted?"

The ayes were, 27:

Anania	Jesse	McCormick	Skinner
Blouin	Johnston	McElroy	Tieden
Bray	Kinley	Nielsen	Uban
Ewell	Knoblauch	Norpel	Willits
Fisher, C. R.	Larson	Pellett	Winkelman
Hansen	Lawson	Priebe	Wirtz
Husak	Mayberry	Schmeiser	

The nays were, 55:

Alt	Egenes	Millen	Sorg
Andersen	Freeman	Miller	Stanley
Bergman	Gluba	Moffitt	Stokes
Camp	Grassley	Pierson	Strand
Campbell	Hamilton	Radl	Stromer
Christensen	Holden	Rodgers	Strothman
Clark	Kehe	Roorda	Taylor
Curtis	Knoke	Sargisson	Trowbridge
Den Herder	Kreamer	Schwartz	Varley
Dougherty	Kruse	Schwieger	Welden
Doyle	Lipsky	Scott	Wells
Drake	Mendenhall	Shaw	Wyckoff
Dunton	Menefee	Siglin	Mr. Speaker
Edelen	Middleswart	Small	

Absent or not voting, 18:

Bennett	Goode	Mollett	Pelton
Cochran	Hill	Monroe	Rex
Ellsworth	Kelly	Nystrom	Schroeder
Fischer, H. O.	Kennedy	Patton	Waugh
Franklin	Logemann		

The amendment to the amendment lost.

Lipsky of Linn offered from the floor the following amendment to the Grassley, et al., amendment filed by her and Willits of Polk and moved its adoption:

Amend the Grassley, et al., amendment to House File 291, filed February 24, 1972, as follows:

1. Line 7, by striking the figure "1972" and inserting in lieu thereof the figure "1973".
2. Line 10, by striking the figure "1972" and inserting in lieu thereof the figure "1973".
3. Line 224, by striking the figure "1972" and inserting in lieu thereof the figure "1973".
4. Line 236, by striking the figure "1972" and inserting in lieu thereof the figure "1973".
5. Line 247, by striking the figure "1972" and inserting in lieu thereof the figure "1973".
6. Line 262, by striking the figure "1972" and inserting in lieu thereof the figure "1973".
7. Line 268, by striking the figure "1972" and inserting in lieu thereof the figure "1973".
8. Line 279, by striking the words and figure "During the 1972-".
9. By striking lines 280 through 286, inclusive.
10. Strike lines 306 through 354 and insert in lieu thereof the following new section:

Sec. 8. COUNTY LEVY.

1. In 1972, each joint county board of education which certifies taxes for a fiscal year shall certify taxes for the 1972-1973 school year as otherwise provided by law, and shall maintain its programs

until July 1, 1973, at approximately the same level as they were maintained in the 1971-1972 school year.

2. In 1972, each county school board which certifies taxes for a calendar year shall certify taxes for the 1973 calendar year only at a rate necessary to obtain one-half of the amount which it would otherwise be entitled to certify for the budget of the 1973 calendar year, as provided in chapter one hundred sixty-five (165), section nine (9), subsection three (3), paragraphs a and b, Acts of the Sixty-fourth General Assembly, First Session. A county school system shall maintain its programs until July 1, 1973, at approximately the same level as they were maintained in the 1971-1972 school year.

3. In 1973, each merged area board shall prepare and submit budgets for the 1973-1974 school year.

11. Line 356, strike the figure "1972" and insert in lieu thereof the figure "1973".

12. Strike lines 474 through 490 and renumber the remaining subsections.

A non-record roll call was requested.

The ayes were 70, nays 9.

The amendment to the amendment was adopted.

Welden of Hardin offered from the floor the following amendment to the Grassley, et al., amendment and moved its adoption:

Amend the Grassley, et al., amendment to House File 291, filed February 24, as follows:

1. By striking in line 43 the word "for" and all of lines 44 and 45 and inserting the following:

"for providing programs and services as set out in Section 2. These moneys shall not be commingled with the other funds of the merged areas and all costs incurred by reason of these programs and services, including administrative costs, shall be paid from funds received for purposes set out in Section 2."

2. By striking all of lines 55 through 59 and inserting the following:

"6. Coordinate and provide special education programs and services as recommended by the coordinating committee and approved by the department of public instruction within the limits of the funds available for these programs and services."

The amendment to the amendment was adopted.

Blouin of Dubuque offered from the floor the following amendment to the Grassley, et al., amendment and moved its adoption:

Amend the Grassley, et al., amendment to House

File 291, filed February 24, by adding after line 33 the following:

"4. It shall provide auxiliary services to those non-public schools presently receiving such services at least at the present rate of such service."

The amendment to the amendment was adopted.

Speaker pro tempore Millen in the chair at 3:00 p.m.

Grassley of Butler moved the adoption of the Grassley, et al., amendment as amended.

Roll call was requested by Ewell of Black Hawk and Blouin of Dubuque.

On the question "Shall the Grassley, et al., amendment as amended be adopted?"

The ayes were, 57:

Alt	Freeman	Mayberry	Scott
Bergman	Grassley	Menefee	Skinner
Bray	Hamilton	Middleswart	Stanley
Camp	Harbor	Miller	Stokes
Campbell	Holden	Moffitt	Strand
Clark	Kehe	Pellet	Stromer
Cochran	Kennedy	Pelton	Taylor
Curtis	Kinley	Pierson	Trowbridge
Den Herder	Knoke	Priebe	Varley
Dougherty	Kreamer	Rex	Welden
Drake	Kruse	Rodgers	Willits
Dunton	Larson	Roorda	Wirtz
Edelen	Lawson	Schroeder	Mr. Speaker
Egenes	Lipsky	Schwartz	(Millen)
Franklin	Logemann		

The nays were, 31:

Anania	Hansen	Monroe	Small
Andersen	Husak	Nielsen	Sorg
Blouin	Jesse	Norpel	Strothman
Christensen	Kelly	Nystrom	Tieden
Doyle	Knoblauch	Radl	Uban
Ewell	McCormick	Sargisson	Winkelman
Fisher, C. R.	McElroy	Schmeiser	Wyckoff
Gluba	Mendenhall	Schwieger	

Absent or not voting, 12:

Bennett	Goode	Mollett	Siglin
Ellsworth	Hill	Patton	Waugh
Fischer, H. O.	Johnston	Shaw	Wells

The amendment as amended was adopted.

Grassley of Butler asked and received unanimous consent that the Chief Clerk be authorized to correct the title.

Grassley of Butler offered the following amendment filed by him:

Amend the Grassley, et al., amendment to House File 291, filed February 24, 1972, by striking amendment No. 2, and inserting in lieu thereof the following:

2. Amend the title, page 1, line 1, by striking all after the word "Act" and inserting in lieu thereof the following: "to abolish the county school system, to provide educational services through the merged areas, and to provide a method of finance."

The amendment was adopted.

Grassley of Butler moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 291)

The ayes were, 63:

Alt	Grassley	McElroy	Siglin
Bergman	Hamilton	Menefee	Skinner
Bray	Harbor	Middleswart	Small
Campbell	Holden	Miller	Stanley
Christensen	Jesse	Moffitt	Stokes
Clark	Johnston	Monroe	Strand
Cochran	Kehe	Pierson	Stromer
Curtis	Kennedy	Priebe	Taylor
Den Herder	Knoke	Rex	Trowbridge
Dougherty	Kreamer	Rodgers	Varley
Drake	Kruse	Roorda	Welden
Dunton	Larson	Schroeder	Wells
Edelen	Lawson	Schwartz	Willits
Egenes	Lipsky	Schwieger	Wirtz
Franklin	Logemann	Scott	Mr. Speaker
Freeman	Mayberry	Shaw	(Millen)

The nays were, 28:

Anania	Gluba	Nielsen	Schmeiser
Andersen	Hansen	Norpel	Sorg
Blouin	Husak	Nystrom	Strothman
Camp	Kelly	Pellett	Tieden
Doyle	Knoblauch	Pelton	Uban
Ewell	McCormick	Radl	Winkelman
Fisher, C. R.	Mendenhall	Sargisson	Wyckoff

Absent or not voting, 9:

Bennett	Goode	Kinley	Patton
Ellsworth	Hill	Mollett	Waugh
Fischer, H. O.			

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

Senate File 260, a bill for an act relating to weather modification in counties, with report of committee recommending passage,

was taken up for consideration.

Stokes of Plymouth offered the following amendment filed by him and moved its adoption:

Amend Senate File 260, as amended and passed by the Senate on page 3, by inserting after line 27 the following new section:

"Sec. If a tax levy has been authorized under section five (5) of this Act, the county board of supervisors shall, upon receipt of a petition signed by at least one hundred owners and tenants of agricultural land located in the county, submit to the owners and tenants of agricultural land at any general election or special election called for that purpose the following question: 'Shall the power to levy a tax for the administration of an artificial weather modification program be canceled?' Notice of the date and time of election and the question to be voted upon shall be published each week for two consecutive weeks in a newspaper of general circulation throughout the county. If a majority of the agricultural landowners and tenants voting favor the question, no further tax levy as provided in section six (6) of this Act shall be made."

The amendment was adopted.

Varley of Adair moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 260)

The ayes were, 69:

Alt	Hansen	Miller	Shaw
Anania	Harbor	Moffitt	Siglin
Andersen	Holden	Monroe	Stanley
Bergman	Jesse	Nielsen	Stokes
Bray	Kehe	Norpel	Strand
Christensen	Kelly	Nystrom	Stromer
Clark	Kinley	Pellett	Strothman
Curtis	Knoblauch	Pierson	Taylor
Den Herder	Knoke	Radl	Trowbridge
Dougherty	Kruse	Rex	Uban
Drake	Lipsky	Rodgers	Varley
Edelen	Logemann	Sargisson	Wells
Egenes	Mayberry	Schmeiser	Willits
Fisher, C. R.	McCormick	Schroeder	Winkelman
Freeman	McElroy	Schwartz	Wyckoff
Gluba	Mendenhall	Schwieger	Mr. Speaker
Grassley	Menefee	Scott	(Millen)
Hamilton	Middleswart		

The nays were, 14:

Blouin	Doyle	Pelton	Tieden
Camp	Ewell	Priebe	Welden
Campbell	Husak	Small	Wirtz
Cochran	Johnston		

Absent or not voting, 17:

Bennett	Goode	Larson	Roorda
Dunton	Hill	Lawson	Skinner
Ellsworth	Kennedy	Mollett	Sorg
Fischer, H. O.	Kreamer	Patton	Waugh
Franklin			

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

Varley of Adair moved that the vote by which Senate File 260 passed the House be reconsidered and the motion to reconsider be tabled.

The motion prevailed.

House File 1143, a bill for an act relating to installment loans by state banks, with report of committee recommending amendment and passage, was taken up for consideration.

Small of Johnson offered the following amendment filed by him and moved its adoption:

Amend House File 1143 as follows:

1. Page 2, line 5, by inserting after the word "customer" the words "*if the total amount loaned is ten thousand dollars or less, and at a rate not to exceed five dollars per annum upon each one hundred dollars actually loaned to the customer, if the total amount loaned is over ten thousand dollars*".

2. Page 2, line 16, by inserting after the word "balances" the words "*if the total amount loaned is ten thousand dollars or less, and at a rate not to exceed five-sixths of one percent per month computed on unpaid principal balances, if the total amount loaned is over ten thousand dollars*".

Roll call was requested by Small of Johnson and Gluba of Scott.

On the question "Shall the amendment be adopted?"

The ayes were, 25:

Anania	Egenes	Pelton	Small
Bray	Gluba	Priebe	Stromer
Camp	Hansen	Radl	Uban
Campbell	Kinley	Sargisson	Wells
Cochran	McCormick	Schwartz	Willits
Dougherty	Monroe	Scott	Wyckoff
Doyle			

The nays were, 42:

Alt	Christensen	Edelen	Hamilton
Andersen	Clark	Fisher, C. R.	Holden
Bergman	Curtis	Freeman	Johnston
Blouin	Drake	Grassley	Kennedy

Knoke	Mendenhall	Schroeder	Trowbridge
Kruse	Menefee	Shaw	Varley
Lawson	Miller	Stanley	Winkelman
Lipsky	Moffitt	Stokes	Wirtz
Logemann	Nielsen	Strand	Mr. Speaker
Mayberry	Norpel	Strothman	(Millen)
McElroy	Pellett	Taylor	

Absent or not voting, 33:

Bennett	Hill	Middleswart	Schmeiser
Den Herder	Husak	Mollett	Schwieger
Dunton	Jesse	Nystrom	Siglin
Ellsworth	Kehe	Patton	Skinner
Ewell	Kelly	Pierson	Sorg
Fischer, H. O.	Knoblauch	Rex	Tieden
Franklin	Kreamer	Rodgers	Waugh
Goode	Larson	Roorda	Welden
Harbor			

The amendment lost.

Freeman of Buena Vista offered the following amendment filed by him and moved its adoption:

Amend House File 1143 as follows:

1. Page 2, by striking lines 10 through 14, inclusive, and inserting in lieu thereof the following:

"cessive intervals of not more than one year in amounts sufficient to amortize the entire loan, including charges, within a period of not more than [five] *fifteen* years provided, however, that the first installment may be deferred to not more than fifteen months from the date of the loan."

2. Page 2, by striking lines 27 through 35, inclusive, and inserting in lieu thereof the following:

"sive intervals of not more than one month in amounts sufficient to amortize the entire loan, including charges, within the period ending on the date of its maturity which shall not exceed [five] *fifteen* years provided, however, that installments may be deferred or omitted on a seasonal basis. If the total charge is included in the total amount of the loan as provided for in this paragraph, a first interval of not less than fifteen nor more than forty-five days may be treated as a monthly interval."

A non-record roll call was requested.

The ayes were 61, nays 13.

The amendment was adopted.

Freeman of Buena Vista offered the following amendment filed by the committee on commerce and moved its adoption:

Amend House File 1143 as follows:

1. Page 3, by striking lines 1 through 3, inclusive, and inserting in lieu thereof the following:

“Sec. 2. Section five hundred twenty-four point nine hundred six (524.906), subsection six (6), Code 1971, is amended to read as follows:

6. [The total amount loaned to any one customer for which a charge is made pursuant to this section shall not, at any one time, exceed ten thousand dollars excluding charges permitted by this section. For any portion of one or more loans to one customer in excess of ten thousand dollars, the charge which the state bank may make shall be governed by law other than this section.] No state bank shall have outstanding loans subject to this section in an aggregate amount exceeding twenty-five percent of its total assets.”

The amendment was adopted.

Freeman of Buena Vista moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question “Shall the bill pass?” (H.F. 1143)

The ayes were, 74:

Alt	Grassley	Mendenhall	Skinner
Anania	Hamilton	Menefee	Small
Andersen	Hansen	Middleswart	Stanley
Bergman	Holden	Miller	Strand
Blouin	Husak	Moffitt	Stromer
Christensen	Johnston	Nielsen	Strothman
Clark	Kelly	Norpel	Taylor
Curtis	Kennedy	Nystrom	Tieden
Den Herder	Kinley	Pellett	Trowbridge
Doyle	Knoblauch	Pierson	Warley
Drake	Knoke	Priebe	Waugh
Dunton	Kreamer	Rex	Wells
Edelen	Kruse	Sargisson	Willits
Egenes	Lawson	Schmeiser	Winkelman
Ewell	Lipsky	Schroeder	Wirtz
Fisher, C. R.	Logemann	Schwartz	Wyckoff
Franklin	Mayberry	Schwieger	Mr. Speaker
Freeman	McCormick	Scott	(Millen)
Gluba	McElroy	Shaw	

The nays were, 9:

Bray	Cochran	Jesse	Rodgers
Camp	Dougherty	Pelton	Uban
Campbell			

Absent or not voting, 17:

Bennett	Hill	Monroe	Siglin
Ellsworth	Kehe	Patton	Sorg
Fischer, H. O.	Larson	Radl	Stokes
Goode	Mollett	Roorda	Welden
Harbor			

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

Senate File 1087, a bill for an act relating to the designation of the general assembly and acts thereof, with report of committee recommending passage, was taken up for consideration.

Shaw of Scott moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 1087)

The ayes were, 83:

Alt	Freeman	McElroy	Scott
Anania	Gluba	Mendenhall	Shaw
Andersen	Grassley	Menefee	Skinner
Bergman	Hamilton	Middleswart	Small
Blouin	Hansen	Miller	Stanley
Bray	Harbor	Moffitt	Stokes
Camp	Holden	Nielsen	Strand
Campbell	Husak	Norpel	Stromer
Christensen	Jesse	Nystrom	Strothman
Clark	Johnston	Pellett	Taylor
Cochran	Kelly	Pelton	Tieden
Curtis	Kennedy	Pierson	Trowbridge
Den Herder	Kinley	Priebe	Uban
Dougherty	Knoblauch	Radl	Waugh
Doyle	Knoke	Rex	Welden
Drake	Kreamer	Rodgers	Wells
Dunton	Lawson	Sargisson	Winkelman
Edelen	Lipsky	Scheiser	Wirtz
Egenes	Logemann	Schroeder	Wyckoff
Fisher, C. R.	Mayberry	Schwartz	Mr. Speaker
Franklin	McCormick	Schwieger	(Millen)

The nays were, none.

Absent or not voting, 17:

Bennett	Hill	Mollett	Siglin
Ellsworth	Kehe	Monroe	Sorg
Ewell	Kruse	Patton	Varley
Fischer, H. O.	Larson	Roorda	Willits
Goode			

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

House File 1260, a bill for an act relating to exemptions from execution and providing penalties, was taken up for consideration.

Knoke of Pottawattamie moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1260)

The ayes were, 79:

Alt	Franklin	Mendenhall	Skinner
Anania	Freeman	Middleswart	Small
Andersen	Gluba	Miller	Stanley
Bergman	Grassley	Moffitt	Stokes
Blouin	Hamilton	Nielsen	Strand
Bray	Harbor	Norpel	Stromer
Camp	Husak	Nystrom	Strothman
Campbell	Jesse	Pellett	Taylor
Christensen	Johnston	Pelton	Tieden
Clark	Kelly	Pierson	Trowbridge
Cochran	Kennedy	Priebe	Uban
Curtis	Knoblauch	Radl	Varley
Den Herder	Knoke	Rex	Waugh
Dougherty	Kreamer	Rodgers	Welden
Doyle	Kruse	Sargisson	Wells
Drake	Lawson	Schmeiser	Willits
Dunton	Lipsky	Schroeder	Winkelman
Edelen	Logemann	Schwartz	Wyckoff
Egenes	McCormick	Scott	Mr. Speaker
Fisher, C. R.	McElroy	Shaw	(Millen)

The nays were, none.

Absent or not voting, 21:

Bennett	Hill	Mayberry	Roorda
Ellsworth	Holden	Menefee	Schwieger
Ewell	Kehe	Mollett	Siglin
Fischer, H. O.	Kinley	Monroe	Sorg
Goode	Larson	Patton	Wirtz
Hansen			

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

SENATE AMENDMENTS CONSIDERED

Pierson of Mahaska called up for consideration Senate File 334, a bill for an act relating to the vending of foods and beverages and providing a penalty, amended by the House and further amended by the Senate, and moved that the House concur in the following Senate amendment to the House amendment:

Amend the House amendment to Senate File 334 by striking lines 4 through 8, inclusive.

Motion prevailed and the House concurred in the Senate amendment to the House amendment.

Pierson of Mahaska moved that the bill, as amended by the House, further amended by the Senate and concurred in by the House, be read a last time now and placed upon its repassage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 334)

The ayes were, 63:

Alt	Gluba	Middleswart	Siglin
Anania	Grassley	Miller	Stanley
Andersen	Hamilton	Moffitt	Stokes
Bergman	Hansen	Monroe	Strand
Camp	Holden	Nielsen	Stromer
Christensen	Husak	Norpel	Strothman
Cochran	Kelly	Nystrom	Taylor
Curtis	Knoblauch	Pellett	Varley
Den Herder	Knoke	Pelton	Waugh
Doyle	Kreamer	Pierson	Welden
Drake	Kruse	Radl	Wells
Dunton	Lawson	Sargisson	Willits
Edelen	Logemann	Schmeiser	Winkelman
Fisher, C. R.	Mayberry	Schwartz	Wyckoff
Franklin	McElroy	Scott	Mr. Speaker
Freeman	Mendenhall	Shaw	(Millen)

The nays were, 16:

Blouin	Dougherty	Kennedy	Schroeder
Bray	Egenes	McCormick	Small
Campbell	Jesse	Priebe	Trowbridge
Clark	Johnston	Rodgers	Uban

Absent or not voting, 21:

Bennett	Hill	Mollett	Skinner
Ellsworth	Kehe	Patton	Sorg
Ewell	Kinley	Rex	Tieden
Fischer, H. O.	Larson	Roord	Wirtz
Goode	Lipsky	Schwieger	
Harbor	Menefee		

The bill having received a constitutional majority was declared to have repassed the House and the title was agreed to.

The House resumed consideration of the following Senate amendment to **House File 69**, a bill for an act relating to errors and omissions insurance for county officers and employees, as follows:

Amend House File 69 as follows:

1. Page 1, by striking lines 4 and 5 and inserting in lieu thereof the following:

"Section 1. Section three hundred thirty-two point thirty-five (332.35), Code 1971, is amended as follows:

332.35 ERRORS AND OMISSION INSURANCE ON COUNTY OFFICERS.

The board of supervisors [shall] *may* purchase and pay premiums on insurance covering and insuring county officers, including sheriffs and their employees which insurance shall insure against personal liability as a result of errors and omissions in the performance of official duties. The premiums shall be paid from the county general fund. Minimum liability limits for such insurance shall be fixed by the attorney general. In the event that the liability of any county officer for any error or omission is not fully indemnified by insurance, the board of supervisors

[may elect to] shall pay any loss, for which any county officer may be found liable, from the general fund of the county."

Schroeder of Pottawattamie offered the following amendment to the Senate amendment and moved its adoption:

Amend the Senate amendment to House File 69 by striking lines 2 through 19 and inserting in lieu thereof the following:

1. Page 1 by adding after line 5 the following:

Sec. 2. There is created in the office of the treasurer of state a fund to be known as "the county indemnification fund" to be used to indemnify and pay on behalf of each county treasurer, recorder, auditor, attorney, clerk of court and sheriff, and any deputies, assistants or employees in such offices, all sums that said officers' deputies, assistants or employees are legally obligated to pay because of their negligent acts, errors or omissions. Funds from the county indemnification fund shall be used to pay any loss actually sustained because of theft, embezzlement or misappropriation of any public funds under the care, custody and control of any county officer, deputy, assistant, or employee.

This Act shall not be deemed to extend the liability of a governmental subdivision exempted under the provisions of section six hundred thirteen A point four (613A.4) of the Code, and the fund established by this section shall not be considered insurance under the provisions of section six hundred thirteen A point seven (613A.7) of the Code.

The county indemnification fund shall not be used to pay premiums on any official or private bonds.

The establishment of the fund provided by this Act shall not relieve any insurer issuing insurance under the provisions of section six hundred thirteen A point seven (613A.7) of the Code or any surety on a bond required by chapter sixty-four (64) of the Code from paying any loss incurred thereunder; nor shall any such insurer or surety be subrogated to any of the assets of the fund established by this Act regardless of any provisions in such policy of insurance or bond.

Sec. 3. This Act shall not relieve county officers or employees from giving official or private bonds required under the provisions of chapter sixty-four (64) of the Code.

Sec. 4. The board of supervisors of each county shall levy in 1972 and annually thereafter for three consecutive years a tax of two-hundredths of a mill against the assessed value of the taxable property of the county, to be collected at the same time and in the same manner as other property taxes and the proceeds of the levy shall be deposited in the county indemnification fund.

Thereafter, if the balance in the fund on June 30 of any year is less than three hundred thousand dollars, the treasurer of state shall notify the board of supervisors of each county to again levy for that year a two-hundredths mill levy to be collected with other taxes in the next calendar year.

Sec. 5. Not later than the fifteenth of June or the fifteenth day of December of each year in which the tax is collected, the county auditor shall transmit the amount of the tax levied, by warrant, to the treasurer of state who shall credit it to the county indemnification fund. The treasurer of state shall invest any moneys in the fund in the same manner as other public funds and shall credit any interest received from that investment to the county indemnification fund.

Sec. 6. Any claim for any negligent act, error, or omission of a county treasurer, recorder, auditor, attorney, clerk of court, sheriff, or any deputy, assistant or employee in such offices, committed after July 1, 1973, shall be processed and paid from such fund in accordance with the provisions of chapter twenty-five A (25A) of the Code, except that any payment of a claim, except a judgment, in excess of one thousand dollars shall have the unanimous approval of all members of the state appeal board, the attorney general, and the district court of Polk County.

Sec. 7. If a judgment is obtained against the county treasurer, recorder, auditor, attorney, clerk of court or sheriff, or any deputies, assistants, or employees in such offices for an act committed subsequent to July 1, 1973, which is payable from the county indemnification fund, the county attorney shall ascertain if any insurance policy or official or private bond exists covering the error or omission committed. If no insurance or bond exists, or if the judgment exceeds the limits of such insurance or bond, the county attorney shall submit a claim to the state comptroller against the county indemnification fund on behalf of the plaintiff to the action for the amount of the judgment exceeding the amount recoverable by reason of such insurance or bond. The state comptroller shall promptly issue a warrant payable to the plaintiff for such amount, and the treasurer of state shall pay the warrant.

Sec. 8. When a loss is sustained by the county as the result of a theft, embezzlement or misappropriation committed subsequent to July 1973, of a county treasurer, recorder, auditor, attorney, clerk of court or sheriff, or any deputies, assistants, or employees in such offices the amount of the loss which is to be replaced shall be determined by the auditor of state from a full and detailed audit made by him or under his authority, of the accounts in question of such officers, deputies, assistants, or employees in their office, which examination shall be reduced to writing

and filed with the state comptroller. The state comptroller shall promptly issue a warrant payable to the county for such amount, and the treasurer of state shall pay the warrant. If any amount is subsequently recovered by the county from any source, the county treasurer shall pay such amounts to the treasurer of state for deposit in county indemnification fund.

Sec. 9. Effective July 1, 1973, sections three hundred thirty-four point thirteen (334.13) through three hundred thirty-four point twenty-two (334.22), inclusive, Code 1971, are repealed.

The amendment to the Senate amendment was adopted.

Schwartz of Wapello moved that House File 69 be deferred and that the bill retain its place on the calendar.

A non-record roll call was requested.

The ayes were 20, nays 51.

The motion lost.

By unanimous consent, the following amendments by Schroeder of Pottawattamie were withdrawn:

The amendment filed on June 17, 1971, and found on pages 2144 and 2145 of the House Journal.

The amendment filed on January 20, 1972, and found on pages 106 and 107 of the House Journal.

The amendment filed on January 11, 1972, and found on pages 33 and 34 of the House Journal.

The amendment filed on February 16, 1971, and found on pages 370 and 371 of the House Journal.

The amendment filed by Schroeder, et al., on February 11, 1971, and found on pages 345 and 346 of the House Journal.

Schroeder of Pottawattamie moved that the House concur in the Senate amendment as amended by the House.

Motion prevailed and the House concurred in the Senate amendment as amended by the House.

Schroeder of Pottawattamie moved that the bill, as amended by the Senate, further amended by the House, and concurred in by the House, be read a last time now and placed upon its repassage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 69)

The ayes were, 68:

Bergman	Holden	Norpel	Stanley
Blouin	Husak	Nystrom	Stokes
Bray	Jesse	Pellett	Strand
Camp	Johnston	Pelton	Stromer
Campbell	Kennedy	Pierson	Strothman
Christensen	Knoblauch	Priebe	Taylor
Clark	Knoke	Radl	Tieden
Cochran	Kruse	Rex	Trowbridge
Curtis	Lawson	Rodgers	Uban
Den Herder	Lipsky	Schmeiser	Varley
Dougherty	Logemann	Schroeder	Waugh
Drake	McElroy	Schwartz	Wells
Dunton	Mendenhall	Scott	Willits
Edelen	Middleswart	Shaw	Winkelman
Fisher, C. R.	Miller	Siglin	Wyckoff
Gluba	Moffitt	Skinner	Mr. Speaker
Grassley	Nielsen	Small	(Millen)
Hamilton			

The nays were, 12:

Alt	Doyle	Freeman	Mayberry
Anania	Egenes	Hansen	Sargisson
Andersen	Franklin	Kreamer	Welden

Absent or not voting, 20:

Bennett	Harbor	Larson	Patton
Ellsworth	Hill	McCormick	Roorda
Ewell	Kehe	Menefee	Schwieger
Fischer, H. O.	Kelly	Mollett	Sorg
Goode	Kinley	Monroe	Wirtz

The bill having received a constitutional majority was declared to have repassed the House and the title was agreed to.

REPORT OF SIFTING COMMITTEE

MR. SPEAKER: Your sifting committee begs leave to report that it had the following bills under consideration and recommends that they be placed on the sifting committee calendar:

- H. F. 1265 COMMITTEE BILL—Relating to the 1972 primary election. By committee on state government.
- H. F. 1156 COMMITTEE BILL—Creating an Iowa World Exposition Authority. By committee on Iowa development.
- H. F. 1242 COMMITTEE BILL—Establish a commission on salaries for elective state officials. By committee on state government.
- S. F. 1148 COMMITTEE BILL—Relating to the civil rights of physically and mentally handicapped persons. By committee on human and industrial relations.

VARLEY of Adair, Chairman

HOUSE CONCURRENT RESOLUTION 120

By Monroe

Whereas, many states are designating a fish as being representative of such states; and

Whereas, the State of Iowa is bounded by the two largest and most famous rivers in the United States; and

Whereas, both the Mississippi River and the Missouri River are well known for the availability of various species of catfish within such rivers; and

Whereas, catfish are further abundant throughout the interior waters of Iowa; and

Whereas, the channel catfish, specifically, by its tremendous range, good size, stubborn and often spectacular fight, and excellence as food, has become one of the accredited game fishes of America, providing wonderful sport and recreation for a great majority of avid Iowa anglers of all ages; and

Whereas, the catfish is being raised in Iowa for food purposes; and

Whereas, the State of Iowa does not have an official state fish, *Now Therefore*,

Be It Resolved by the House of Representatives, the Senate Concurring, That the channel catfish (*Ictalurus punctatus*) is recognized as the official state fish for Iowa, and members of the Iowa development commission are urged to publicize recognition of such fish as the official state fish for the State of Iowa.

Laid over under Rule 25.

ANNOUNCEMENT BY CHAIRMAN OF APPROPRIATIONS COMMITTEE

Pursuant to House Rule 54, the following bills are in the possession of the House appropriations committee:

- H. F. 1092 To appropriate from the primary road fund to the department of public safety for salary increases for Iowa highway safety patrol officers.
- H. F. 1100 Relating to annual reversions of administrative appropriations.
- H. F. 1111 Making an appropriation from the general fund to merged area I.
- H. F. 1130 Relating to the appropriation to the state board of regents.
- H. F. 1131 Making an appropriation to the Iowa liquor control commission for a state liquor store in Dubuque, Iowa.
- H. F. 1132 To make an appropriation to merged area I for the purpose of implementing the provisions of law requiring an area vocational attendance center.
- H. F. 1208 To appropriate funds from the beer and liquor control fund to the Iowa commission on alcoholism.
- H. F. 1209 Relating to the salaries of county attorneys.
- H. F. 1217 To make an appropriation from the general fund of the state of Iowa to the governor's youth program.
- H. F. 1234 To establish a rural physicians associate program and to provide an appropriation therefor.
- S. F. 119 Relating to the salary of municipal court judges.
- S. F. 527 Relating to reports of treasurers of political subdivisions.
- S. F. 585 Relating to the costs of auditing the accounts of the area schools.

- S. F. 592 To appropriate from the general fund of the state of Iowa to the higher education facilities commission for the tuition grant program.

Further pursuant to House Rule 54, the following bills were passed by the House appropriations committee:

- S. F. 593 Relating to the acquisition of land and buildings, and the remodeling, construction and equipping of a medical school in counties having a population of over 200,000.
- H. F. 1099 Providing for an appraisal staff and appraisal manual in the department of revenue.
- H. F. 1213 Relating to an appropriation to the office of secretary of state to defray expenses relating to the administration of election laws.
- H. F. 1247 Making appropriations to the educational radio and television facility board for the purpose of making capital improvements.

CAMP of Clinton, Chairman

MESSAGE FROM THE SENATE

The following message was received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has adopted the following concurrent resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 105, authorizing the legislative council to create a study committee to study the structure of the Iowa Supreme Court.

CARROLL A. LANE, Secretary

SENATE CONCURRENT RESOLUTION 105

By DeKoster and Gaudineer

Whereas, the number of cases being appealed to the Iowa Supreme Court is mounting rapidly; and

Whereas, it has become evident that the backlog of unheard and undecided cases in that court is becoming larger; and

Whereas, several proposals have been made for alleviation of the problem including intermediate appeals courts for one class of cases, allowance for the court to set in divisions, and others; and

Whereas, the problem is becoming serious though not yet critical; and

Whereas, solution should be sought before the critical point is reached,
Now Therefore,

Be It Resolved by the Senate, the House Concurring, That the legislative council be authorized to create a study committee consisting of legislative members from both political parties and both houses of the General Assembly and members of the Iowa Supreme Court for the purpose of studying the structure of the Iowa Supreme Court and the need for changes in the structure or for alternative appeals courts in Iowa; and

Be It Further Resolved, That the study committee make reports to the legislative council and shall submit a final report, including necessary bill drafts to implement its recommendations, to the legislative council. Copies

of the report approved by the legislative council shall be submitted to the General Assembly meeting in the year 1973.

Laid over under Rule 25.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Miller of Marshall, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate File 1014.

ELIZABETH R. MILLER
Chairman, House Committee
JOHN C. RHODES
Chairman, Senate Committee

Report adopted.

BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House the following bill: Senate File 1014.

COMMUNICATION FROM THE SECRETARY OF STATE

February 29, 1972

Mr. William R. Kendrick
Chief Clerk of the House
State Capitol Building
Des Moines, Iowa 50319

I hereby certify that House File 1016 was published in the Mount Ayr Record-News, Mount Ayr, Iowa, February 24, 1972, and in The Clinton Herald, Clinton, Iowa, February 17, 1972.

Respectfully submitted,
MELVIN D. SYNHORST
Secretary of State

REPORT OF COMMITTEE

Fisher of Greene, from the committee on state government, submitted the following report:

MR. SPEAKER: Your committee on state government, to whom was referred **Senate File 184**, a bill for an act relating to licensing and regulation of hearing aid dealers, appropriating license fees for purposes of administration, and providing penalties for a violation, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same be referred to the sifting committee and that the bill be amended as follows, and when so amended the bill do pass.

Amend Senate File 184 as amended and passed by the

Senate and reprinted, page 3, by inserting after line 11 the following new subsection:

"8. Ask for and receive guidance, without cost to the state, from a council of three licensed hearing aid dealers named for this purpose by the governor from a list submitted by the Board of the Iowa Hearing Aid Dealers Association."

FISHER of Greene, Chairman

AMENDMENTS FILED

- 1 Amend House File 689 as follows:
- 2 1. Page 2, line 2, by inserting after the comma
- 3 the word "sheriffs,".
- 4 2. Page 2, line 4, by striking the words "the
- 5 county sheriff" and inserting in lieu thereof the
- 6 words "a county safety commissioner".
- 7 3. Page 3, line 3, by inserting after the word
- 8 "marshals," the words "county sheriffs,".
- 9 4. Page 3, line 6, by striking the words "county
- 10 sheriff" and inserting in lieu thereof the words
- 11 "county safety commissioner".
- 12 5. Page 3, line 35, by striking the words "The
- 13 county sheriff" and inserting in lieu thereof the
- 14 words "A county safety commissioner shall be elected
- 15 in the same manner as the county sheriff and".
- 16 6. Page 4, line 2, by striking the words "sher-
- 17 iffs' deputies" and inserting in lieu thereof the
- 18 words "county law enforcement officers".
- 19 7. Page 4, line 4, by striking the words "county
- 20 sheriff" and inserting in lieu thereof the words
- 21 "county safety commissioner".
- 22 8. Page 4, line 12, by inserting after the word
- 23 "policemen," the words "county sheriffs,".
- 24 9. Page 4, line 17, by striking the words "deputy
- 25 sheriffs" and inserting in lieu thereof the words
- 26 "county law enforcement officers".
- 27 10. Page 4, line 20, by striking the words "deputy
- 28 sheriffs" and inserting in lieu thereof the word
- 29 "officers".
- 30 11. Page 4, line 23, by striking the words "county
- 31 sheriff" and inserting in lieu thereof the words
- 32 "county safety commissioner".
- 33 12. Page 5, line 16, by striking the word "sher-
- 34 iff" and inserting in lieu thereof the words "county
- 35 safety commissioner".
- 36 13. Page 5, line 17, by striking the word "chief".
- 37 14. Page 5, line 18, by striking the word "sher-
- 38 iff" and inserting in lieu thereof the word "safety
- 39 commissioner".
- 40 15. Page 5, line 18, by striking the words "chief
- 41 deputy sheriff" and inserting in lieu thereof the
- 42 words "deputy safety commissioner".
- 43 16. Page 5, line 22, by striking the words "deputy

44 sheriffs" and inserting in lieu thereof the words
45 "county law enforcement officers".

46 17. Page 5, line 23, by striking the words "chief
47 deputy sheriff" and inserting in lieu thereof the
48 words "deputy safety commissioner".

49 18. Page 5, line 23, by striking the words "deputy
50 sheriff" and inserting in lieu thereof the words
51 "county law enforcement officer".

52 19. Page 5, line 25, by striking the words "chief
53 deputy sheriff" and inserting in lieu thereof the
54 words "deputy safety commissioner".

55 20. Page 5, line 26, by striking the words "chief
56 deputy sheriff" and inserting in lieu thereof the
57 words "deputy safety commissioner".

58 21. Page 5, line 27, by striking the words "chief
59 deputy sheriff" and inserting in lieu thereof the
60 words "deputy safety commissioner".

61 22. Page 5, line 30, by striking the words "county
62 sheriff" and inserting in lieu thereof the words
63 "county safety commissioner".

64 23. Page 6, line 6, by striking the word "sheriff"
65 and inserting in lieu thereof the words "county
66 safety commissioner".

67 24. Page 6, line 18, by striking the word "sher-
68 iff" and inserting in lieu thereof the words "county
69 safety commissioner".

70 25. Page 6, by inserting after line 20 the
71 following new sections:

72 1. "Sec. A county safety commissioner shall
73 be elected at a special election to be called by the
74 board of supervisors within ninety days following the
75 approval of the establishment of the county law
76 enforcement unit. However, if a primary or general
77 election will occur during the ninety-day period,
78 the primary or general election date shall be used.
79 The initial county safety commissioner shall be
80 elected to a term of office which coincides with
81 the remaining term of the office of county sheriff.
82 The county safety commissioner shall be elected and
83 his election certified in the manner provided for
84 the county sheriff. The position of county sheriff
85 shall be abolished on the date that the county safety
86 commissioner assumes office."

87 2. "Sec. If a county law enforcement unit
88 has been established pursuant to this Act, any
89 references to county sheriff in the law shall mean
90 the county safety commissioner."

91 26. Amend the title, page 1, line 3, by insert-
92 ing after the word "policemen," the words "county
93 sheriffs".

TAYLOR of Dubuque
EDELLEN of Emmet
PRIEBE of Kossuth
LOGEMANN of Cerro Gordo

1 Amend the Senate amendment to House File 734 as
2 follows:

3 1. By striking lines 247 through 251, inclusive.

4 2. By striking lines 281 through 447, inclusive,
5 and inserting in lieu thereof the following

6 new sections:

7 1. "Sec. The commission shall control the
8 erection and maintenance of signs authorized by section
9 eleven (11) of this Act in accord with the following
10 criteria, except that in the case of bonus interstate
11 highways the commission shall maintain the controls
12 required under chapter three hundred six B (306B)
13 of the Code or the controls required by sections ten
14 (10) through twenty-two (22), inclusive, of this Act,
15 whichever controls are stricter. Signs shall not
16 be erected, maintained or illuminated:

17 1. In a manner to obscure or otherwise physically
18 interfere with an official traffic sign, signal, or
19 device, or to obstruct or physically interfere with
20 any driver's view of approaching, merging, or
21 intersecting traffic.

22 2. Unless effectively shielded to prevent light
23 from being directed at any portion of the traveled
24 highway with such intensity or brilliance as to cause
25 glare or to impair the vision of the driver of any
26 motor vehicle.

27 3. Which contain, include, or are illuminated
28 by any flashing, intermittent, or moving light or
29 lights, except those giving public service information
30 such as, but not limited to time, date, temperature,
31 weather, news and similar information.

32 4. Which imitate or resemble an official sign
33 or signal or device or which are erected or maintained
34 within or closer than three hundred feet from scenic
35 areas, as defined and determined by the commission,
36 or which are located or maintained upon trees, or
37 painted or drawn upon rocks or natural features, or
38 which are structurally unsafe or in substantial
39 disrepair.

40 5. Which exceed one thousand two hundred square
41 feet in area or in the case of a back-to-back or V-
42 type sign, with a maximum of two facings per sign,
43 seven hundred fifty square feet in area, including
44 border and trim but excluding base or apron, support,
45 and other structural members.

46 6. Which do not comply with all applicable state
47 or local laws, regulations and ordinances, including
48 but not limited to zoning, building, and sign codes
49 as locally interpreted and applied and enforced, or
50 which violate chapter three hundred nineteen (319)
51 of the Code; however, nothing in sections ten (10)
52 through twenty-two (22), inclusive, of this Act shall
53 prevent or restrict county or local zoning authorities
54 from making a determination of customary use concerning
55 size, lighting, and spacing of signs in zoned

56 commercial or industrial adjacent areas, and such
57 determinations will be accepted in lieu of the
58 standards of sections ten (10) through twenty-two
59 (22), inclusive, of this Act. The provisions of
60 sections ten (10) through twenty-two (22), inclusive,
61 of this Act shall not prevent or restrict county or
62 local zoning authorities within their respective
63 jurisdictions from establishing standards imposing
64 controls stricter than those required by sections
65 ten (10) through twenty-two (22), inclusive, of this
66 Act."

67 2. "Sec. Any sign lawfully in existence
68 in an adjacent area on the effective date of sections
69 ten (10) through twenty-two (22), inclusive, of this
70 Act, which does not conform with the provisions of
71 sections ten (10) through twenty-two (22), inclusive,
72 of this Act or any sign lawfully erected after the
73 effective date of sections ten (10) through twenty-
74 two (22), inclusive, of this Act which subsequently
75 becomes nonconforming, shall be required to be brought
76 into conformity or removed by the last day of the
77 tax year in which final depreciation is taken for
78 purposes of the owner's income tax returns, according
79 to allowable depreciation schedules."

80 3. By renumbering the sections and subsections as
81 necessary.

LIPSKY of Linn

1 Amend the Senate amendment to House File 734, line
2 191, by inserting after the period the
3 following: Whenever business, industry, commerce or
4 outdoor advertising are permitted uses in predominant-
5 ly agricultural locally zoned areas, such areas are
6 deemed appropriate for business purposes and are
7 hereby zoned commercial to permit such uses to the
8 extent allowed by the local zoning authorities.

KELLY of Woodbury

1 Amend the Senate amendment to House File 734 as
2 follows:
3 1. By adding the following new section after line 280:
4 "Sec. 12. An advertising device shall not be constructed
5 or reconstructed beyond the adjacent area in unincorporated
6 areas of the state if it is visible from the main-traveled way
7 of any interstate or primary highway except for advertising
8 devices permitted in section eleven (11), subsections one (1)
9 and two (2) of this Act. Any advertising device permitted
10 beyond an adjacent area in unincorporated areas of the state
11 shall be subject to the applicable permit provisions of
12 section seventeen (17) of this Act."

13 2. Lines 486 and 487, by striking the words "in an
14 adjacent area".

15 3. By renumbering sections and correcting internal

16 references in conformance to the provisions of this
17 amendment.

VARLEY of Adair
SCHWIEGER of Black Hawk

1 Amend Senate amendment to House File 734 as
2 follows:

3 1. Line 265, by striking the word
4 "may" and inserting in lieu thereof the word "shall".

5 2. Line 268, by inserting following
6 the word "system" the words "and freeway primary
7 highways".

8 3. By striking lines 456 through
9 485 inclusive and inserting in lieu thereof the
10 following:

11 Sec. 17. Within thirty days from the effective
12 date of this Act, the owner of every sign regulated
13 by the provisions of this Act, except signs excepted
14 by subsections one (1), two (2), four (4) and five
15 (5) of Section 11 of this Act, shall be required to
16 make application to the commission for a permit.

17 The application for a permit shall be on a form
18 provided by the commission and shall contain the
19 name and address of the owner of the sign and the
20 name and address of the owner of the real property
21 on which it is located; the date of its erection;
22 a description of its location; its dimensions; and
23 such other information required by the commission,
24 together with a permit fee as provided in this
25 section.

26 After the effective date of this Act, no new
27 sign for which an application for a permit is re-
28 quired may be erected without first obtaining a
29 permit from the commission, except in the case of
30 signs lawfully in existence in areas adjacent to any
31 highway made an interstate, freeway primary, or
32 primary highway after the effective date of this Act.
33 The owner shall be required to make application for
34 a permit as provided for in this section within
35 thirty days after the date the said highway
36 acquired said designation.

37 Upon receipt of an application containing all the
38 required information in due form and properly executed
39 together with the fee required, the commission shall
40 issue a permit to be affixed to the sign if the sign
41 will not violate any provision of Sections 10
42 through 22 inclusive, of this Act, or any rule or
43 regulation promulgated by the commission, provided
44 that in the case of signs to be acquired pursuant to
45 Section 14 of this Act a provisional permit shall
46 be issued.

47 The fee for both types of permits shall be five
48 dollars for the initial fee and for each annual
49 renewal. The fees collected for the above permits
50 shall be credited to a special account entitled

51 the "Highway Beautification Fund" and all salaries
 52 and expenses incurred in administering this Act
 53 shall be paid from this fund or from specific
 54 appropriations for this purpose, except that
 55 surveillance of, and removal of, signs performed
 56 by regular maintenance personnel are not to be
 57 charged against the account.

58 4. By striking all of line 490 after the
 59 word "Act" and all of line 491 through the word "Code".

60 5. By striking all of lines 521 through
 61 527 inclusive.

WELDEN of Hardin
 UBAN of Black Hawk
 SCHROEDER of Pottawattamie
 SCHWIEGER of Black Hawk

1 Amend the Senate amendment to House File 734 by
 2 inserting after the comma in line 239 the following:
 3 "or on the right-of-way of any primary highway,".

WELDEN of Hardin

1 Amend Senate File 185, as amended and passed by
 2 the Senate, page 3, by inserting after line 11 the
 3 following new paragraph:
 4 "The board of supervisors may require any public
 5 or private facility as a condition of payment from
 6 county funds to furnish the board with a statement
 7 of the income, assets, and township or municipality
 8 and the county of legal residence of each person
 9 receiving services under this section, provided how-
 10 ever, the facility shall not disclose to anyone with-
 11 out the permission of the person receiving the ser-
 12 vices such person's name or street or route address."

BRAY of Scott

1 Amend House 291 by striking everything
 2 after the enacting clause and inserting in lieu thereof
 3 the contents of House File 1174.

ANDERSEN of Woodbury

On motion by Varley of Adair, the House adjourned until 9:00
 a.m., Wednesday, March 1, 1972.

JOURNAL OF THE HOUSE

Fifty-second Calendar Day—Thirty-eighth Session Day

HALL OF THE HOUSE OF REPRESENTATIVES
DES MOINES, IOWA, WEDNESDAY, MARCH 1, 1972

The House met pursuant to adjournment, Speaker Harbor in the chair.

Prayer was offered by the Reverend Carl E. Wilson, pastor of the United Methodist Church, Mount Pleasant, Iowa.

The Journal of Tuesday, February 29, 1972, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Thomas Largen, Hamburg, Iowa.

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Twenty-four Boy Scouts from Linn County accompanied by their leader, Mr. Selken. By Lipsky of Linn.

Forty-two senior government class students from Gilmore City-Bradgate High School, Gilmore City, Iowa, accompanied by Velma Juelfs. By Priebe of Kossuth.

Sixty-eight government class students from Central High School, Argyle, Iowa, accompanied by Howard Carter. By Clark of Lee and Millen of Van Buren.

Twenty-five eighth grade students from Lytton School, Lytton, Iowa, accompanied by Mrs. Stensrud and Mr. Carter. By Winkelman of Calhoun.

Eighty ninth grade government class students from Oskaloosa Community School, Oskaloosa, Iowa, accompanied by Curt Frey. By Pierson of Mahaska.

Twenty-nine fifth grade students from Windsor Elementary School, Des Moines, Iowa, accompanied by Mrs. Bullington. By Hill of Polk.

PETITIONS FILED

The following petitions were received and placed on file:

By Stromer of Hancock from forty citizens of the north Iowa area and Logemann of Worth from sixty residents of Winnebago County, favoring the purchase of approximately four hundred acres of timberland directly northeast of Pilot Knob State Park for recreational use.

By Sorg of Linn from thirteen residents of Linn County opposing House File 1196, relating to the conversion of Terrace Hill as a Governor's mansion.

By Schwartz of Wapello from two hundred sixty-seven residents of Iowa opposing Senate File 356, relating to permits to carry concealed weapons.

By Logemann of Worth from two hundred twenty-six residents opposing legislation making it mandatory to wear helmets or a particular kind of clothing while driving or riding any kind of motorcycle.

By Camp of Clinton from sixteen residents of Clinton County favoring House File 1123, pertaining to a salary increase for certain county officials.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Curtis of Cherokee on request of Den Herder of Sioux.

ADOPTION OF COMMITTEE REPORT

The Chief Clerk announced the adoption of report of committee on Senate File 184, under Rule 35.

INTRODUCTION OF BILLS

House File 1278, by committee on agriculture, a bill for an act relating to the planning of a new state agriculture building and making an appropriation.

Read first time and referred to committee on appropriations.

House File 1279, by committee on appropriations, a bill for an act authorizing exercise of a purchase-option by the executive council and appropriating funds therefor.

Read first time and placed on the appropriations calendar.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File 30, a bill for an act relating to inspection of pipeline construction over private property.

CARROLL A. LANE, Secretary

SENATE AMENDMENT TO HOUSE FILE 30

1 Amend House File 30 by striking lines 4 through 12, inclusive,
2 on page 1 and inserting in lieu thereof the following:

3 Section 1. Section four hundred ninety point four (490.4),
4 Code 1971, is amended by adding the following new paragraphs:

5 "A board of supervisors may, by majority vote, submit a
6 request in writing to the commission requesting that the ser-
7 vices of a qualified inspector be provided to adequately inspect
8 pipeline construction within that county. Upon receipt of the
9 request, the commission shall make such inspector available. All
10 costs of inspection shall be paid pursuant to section four
11 hundred ninety point fourteen (490.14) of the Code.

12 As a part of the inspection process, the inspector shall,
13 if provided by the easement contract, ascertain that the trench
14 excavation has been filled in such a manner as to provide that
15 the top soil has been replaced on top and all rocks and debris
16 have been removed from the top soil.

17 Adequate inspection of underground improvements altered dur-
18 ing construction of pipeline shall be conducted at the time of
19 the replacement or repair of such underground improvements.

20 All faulty construction, as determined by the inspector,
21 shall be repaired immediately by the contractor operating for
22 the pipeline company and the cost of such repairs shall be paid
23 by said contractor. If such repairs are not made by contractor,
24 the commission shall proceed to collect under the provisions
25 of section four hundred ninety point twenty-seven (490.27) of
26 the Code."

27 Sec. 2. Section four hundred ninety point twenty-seven
28 (490.27), Code 1971, is amended as follows:

29 490.27 FINANCIAL CONDITION OF PERMITTEE—BOND.
Before

30 any permit is granted under the provisions of this chapter the
31 applicant must satisfy the state commerce commission that the
32 applicant has property within this state other than pipe lines,
33 subject to execution of a value in excess of fifty thousand
34 dollars, or said applicant must file and maintain with said
35 commission a surety bond in the penal sum of fifty thousand
36 dollars with a surety approved by the commission, conditioned
37 that said applicant will pay any and all damages legally recovered
38 against it growing out of the *construction* or operation of its
39 said pipe line and gas storage facilities in the state of
40 Iowa. When such pipe-line company deposits with said state
41 commerce commission security satisfactory to said commission

42 as a guaranty for the payment of said damages, or furnishes to
 43 said commission satisfactory proofs of its solvency and
 44 financial ability to pay said damages, the said pipe-line company
 45 shall be relieved of the said provisions requiring bond.

MOTION TO RECONSIDER

(Senate Amendment to House Amendment to Senate File 334)

I move to reconsider the vote by which Senate File 334 passed the House on February 29, 1972, and to reconsider the vote by which the House concurred in the Senate amendment to the House amendment to Senate File 334 on February 29, 1972.

KNOKE of Pottawattamie

CONFERENCE COMMITTEE REPORT ON SENATE FILE 85

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to consider the difference between the Senate and the House of Representatives on Senate File 85, a bill for an act creating a department of environmental quality, specifying its powers, duties and functions, and providing penalties for violations thereof, respectfully submit the following report:

1. The House and Senate conferees failed to reach an agreement.

On the part of the Senate:

CHARLES O. LAVERTY, Chairman
 LEIGH R. CURRAN
 CLOYD E. ROBINSON
 RICHARD L. STEPHENS

On the part of the House:

L. W. KEHE, Chairman
 GEORGE N. PIERSON
 KENNETH D. SCOTT
 MARION D. SIGLIN

SECOND CONFERENCE COMMITTEE APPOINTED (Senate File 85)

The Speaker announced the appointment of the second conference committee to consider the differences between the House and Senate concerning Senate File 85: Lawson of Cerro Gordo, chairman; Campbell of Washington, Waugh of Monona and Wyckoff of Benton.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the President of the Senate has appointed as members of the second conference committee on Senate File 85, a bill for an act creating a department of environmental quality, on the part of the Senate: the Senator from Chickasaw, Mr. Shawver, chairman; the Senator from Muscatine, Mr. Rabedaux; the Senator from Harrison, Mr. Schaben; and the Senator from Dubuque, Mr. Walsh.

CARROLL A. LANE
Secretary of the Senate

HOUSE CONCURRENT RESOLUTION 121

By Ewell

Whereas, the federal government, state government, county government, and municipal government have overwhelmingly recognized and declared a need for well-educated and well-prepared law enforcement personnel to meet the challenge of crime and of rapidly changing laws; and

Whereas, law enforcement personnel express a desire for educational programs at the college level for purposes of professional improvement, promotion, retention, and retirement, *Now Therefore*,

Be It Resolved by the House of Representatives, the Senate Concurring, That the Sixty-fourth General Assembly of the State of Iowa urges the board of regents to investigate the possibilities of establishing a college of criminal justice for the purpose of preparing professional law enforcement personnel; and

Be It Further Resolved, That copies of this resolution be transmitted to the Governor and the members of the board of regents.

Laid over under Rule 25.

CONSIDERATION OF BILLS

SIFTING COMMITTEE CALENDAR

House File 1265, a bill for an act relating to the 1972 primary election, was taken up for consideration.

Shaw of Scott offered the following amendment filed by her and moved its adoption:

Amend House File 1265 as follows:

1. Page 6, by striking all of lines 25 through 35.
2. Page 7, by striking all of lines 1 through 6.

The amendment was adopted.

Drake of Muscatine moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1265)

The ayes were, 54:

Andersen	Fisher, C. R.	Kruse	Pierson
Bergman	Gluba	Lipsky	Radl
Campbell	Grassley	Logemann	Rex
Christensen	Hamilton	Mayberry	Schroeder
Den Herder	Hansen	McElroy	Schwieger
Doyle	Hill	Mendenhall	Shaw
Drake	Holden	Menefee	Siglin
Edelen	Kehe	Miller	Sorg
Ellsworth	Knoke	Nielsen	Stanley
Fischer, H. O.	Kreamer	Pellett	Stokes

Strand	Tieden	Waugh	Winkelman
Stromer	Trowbridge	Welden	Wirtz
Strothman	Uban	Willits	Mr. Speaker
Taylor	Varley		

The nays were, 28:

Anania	Ewell	Larson	Rodgers
Bennett	Gluba	McCormick	Sargisson
Blouin	Husak	Middleswart	Schmeiser
Bray	Jesse	Moffitt	Scott
Clark	Kennedy	Monroe	Small
Cochran	Kinley	Norpel	Wells
Dougherty	Knoblauch	Priebe	Wycoff

Absent or not voting, 18:

Alt	Freeman	Millen	Pelton
Curtis	Goode	Mollett	Roorda
Dunton	Johnston	Nystrom	Schwartz
Egenes	Kelly	Patton	Skinner
Franklin	Lawson		

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

MOTION TO RECONSIDER

(House File 1265)

I move to reconsider the vote by which House File 1265 passed the House on March 1, 1972.

UBAN of Black Hawk

HOUSE INSISTS

(Senate File 428)

Pelton of Clinton called up for consideration **Senate File 428**, a bill for an act to provide a unified trial court having district court judges and district court magistrates; to discontinue superior, justices of the peace, and police courts; and to establish traffic violations offices within the district court to receive uniform traffic violation penalties, and moved that the House insist on the House amendment to the Senate amendment.

A non-record roll call was requested.

The ayes were 70, nays 16.

The motion prevailed and the House insists on its House amendment to the Senate amendment.

CONFERENCE COMMITTEE APPOINTED

(Senate File 428)

The Speaker announced the appointment of the conference committee to consider the differences between the House and

Senate concerning Senate File 428: Pelton of Clinton, chairman; Knoke of Pottawattamie, Grassley of Butler and Radl of Linn.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the President of the Senate has appointed as members of the conference committee on Senate File 428, a bill for an act providing for a unified trial court, on the part of the Senate: the Senator from Linn, Mr. Riley, chairman; the Senator from Woodbury, Mr. Gross; the Senator from Black Hawk, Mr. Messerly; and the Senator from Scott, Mr. Thordsen.

CARROLL A. LANE
Secretary of the Senate

SENATE AMENDMENTS CONSIDERED

Welden of Hardin called up for consideration House File 734, a bill for an act relating to junkyards along interstate and federal aid primary highways, amended by the Senate as follows:

Amend House File 734, as passed by the House, as follows:

1. Page 1, line 4, by inserting after the word "Beautification" the words "and Billboard".
2. Page 1, line 11, by inserting after the word "junkyards" the following: "and to control outdoor advertising".
3. By striking everything after the enacting clause and inserting in lieu thereof the following:

Section 1. DEFINITIONS. For the purposes of sections one (1) through nine (9), inclusive, of this Act, unless the context otherwise requires:

1. "Junk" means old or scrap copper, brass, rope, rags, batteries, paper, trash, rubber debris, waste, or junked, dismantled, or wrecked automobiles, or parts of automobiles, or iron, steel, or other old or scrap ferrous or nonferrous material.
2. "Junkyard" means an establishment or place of business which is maintained, operated, or used primarily for storing, keeping, buying, or selling junk; and the term includes garbage dumps, sanitary fills, and automobile graveyards.
3. "Interstate highway" includes "interstate roads" and "interstate system" and means any highway of the primary system at any time officially designated as a part of the national system of interstate and defense highways by the commission and approved by the appropriate authority of the federal government.
4. "Primary highway" includes the federal aid primary system and means that portion of connected main highways which are currently or subsequently officially designated as primary highways by the commission and approved by the appropriate authority of the federal government.
5. "Commission" means the state highway commission.

Sec. 2. JUNKYARDS PROHIBITED—EXCEPTIONS. A person shall not establish, operate, or maintain a junkyard, any

portion of which is within one thousand feet of the nearest edge of the right-of-way of any interstate or primary highway, except:

1. Those which are screened by natural objects, plantings, fences, or other appropriate means obscuring them from view from the main-traveled portion of the highway.
2. Those located within areas which are zoned for industrial use under authority of law.
3. Those located within unzoned industrial areas which areas shall be determined from actual land uses and defined by regulations to be promulgated by the commission under the provisions of chapter seventeen A (17A) of the Code in accordance with the standards, criteria, and rules and regulations promulgated under authority of Title twenty-three (23), United States Code.
4. Those which are not visible from the main-traveled portion of the highway.

Sec. 3. **JUNKYARDS LAWFULLY IN EXISTENCE.** Any junkyard located outside a zoned or unzoned industrial area lawfully in existence on the effective date of the Act which is within one thousand feet of the nearest edge of the right-of-way and visible from the main-traveled portion of any highway on the interstate or primary system shall be screened, if feasible, by the commission or the owner under rules and direction of the commission, at locations on the highway right-of-way or in areas acquired for such purposes outside the right-of-way in order to obscure the junkyard from the main-traveled way of such highways.

Sec. 4. **REQUIREMENTS AS TO SCREENING.** The commission may adopt rules and regulations pursuant to chapter seventeen A (17A) of the Code governing the location, planting, construction, and maintenance of screening or fencing required by this Act including materials to be used. However, such rules and regulations shall be in accordance with the standards, criteria, rules, and regulations promulgated under authority of Title twenty-three (23), United States Code.

Sec. 5. **ACQUISITION OF LAND FOR SCREENING OR REMOVAL.**

When the commission determines that it is in the best interests of the state, it may acquire by gift, purchase, exchange, or condemnation, as provided by law, such property or rights or interests in property as may be necessary to provide adequate screening for junkyards. When the commission determines that the topography of the land adjoining the highway will not permit adequate screening, or screening would not be economically feasible, the commission may acquire such property or rights or interests in property as may be necessary to secure the relocation, removal, or disposal of the junkyard, and shall pay the cost of such relocation, removal, or disposal, with or without federal participation. However, no plan for relocation, removal, or disposal which qualifies for federal participation shall be undertaken unless the commission has received notification from the

federal government that the federal share to be paid is immediately available for that purpose.

Sec. 6. NUISANCE—INJUNCTION. Any junkyard which does not conform to the requirements of sections one (1) through nine (9), inclusive, of this Act, and which is not excepted under sections two (2) or three (3) of this Act, is a public nuisance. The commission may apply for an injunction to abate any nuisance arising from a violation of the provisions of sections one (1) through nine (9), inclusive, of this Act, or rules and regulations adopted pursuant to sections one (1) through nine (9), inclusive, of this Act.

Sec. 7. INTERPRETATION. Nothing in this Act shall be construed to abrogate or affect the provisions of any lawful ordinance, regulation, or resolution, which are more restrictive than the provisions of sections one (1) through nine (9), inclusive, of this Act.

Sec. 8. AGREEMENTS WITH THE UNITED STATES AUTHORIZED.

The commission may enter into agreements with the United States secretary of transportation as provided by Title twenty-three (23), United States Code, relating to control of junkyards in areas adjacent to the interstate and primary systems, and take action in the name of the state to comply with the terms of such agreements.

Sec. 9. Nothing in section one (1) through nine (9), inclusive, of this Act shall be construed as permitting the taking of private property or the restriction of the reasonable and existing uses of such property without just compensation and in accordance with the provisions of chapter four hundred seventy-two (472) of the Code and Title twenty-three (23), United States Code.

Sec. 10. DEFINITIONS. For the purposes of sections ten (10) through twenty-two (22), inclusive, of this Act, unless the context otherwise requires:

1. "Commission" means the state highway commission of the state of Iowa.

2. "Interstate highway" includes "interstate road" and "interstate system" and means any highway of the primary system at any time officially designated as a part of the national system of interstate and defense highways by the commission and approved by the appropriate authority of the federal government.

3. "Bonus interstate highways" includes all interstate highways except those interstate highways adjacent to areas excepted from control under chapter three hundred six B (306B) by authority of section three hundred six B point two (306B.2), subsection five (5) of the Code.

4. "Primary highways" includes the entire primary system as officially designated, or as may hereafter be so designated, by the commission.

5. "Freeway primary highway" means those primary highways which have been constructed as a fully controlled access facility with no access to the facility except at

established interchanges.

6. "Main-traveled way" means the portion of the roadway for movement of vehicles on which through traffic is carried exclusive of shoulders and auxiliary lanes. In the case of a divided highway, the main-traveled way includes each of the separated roadways for traffic in opposite directions, exclusive of frontage roads, turning roadways, or parking areas.

7. "Advertising device" includes any outdoor sign, display, device, figure, painting, drawing, message, placard, poster, billboard, or any other device designed, intended, or used to advertise or give information in the nature of advertising, and having the capacity of being visible from the traveled portion of any interstate or primary highway.

8. "Structure" means any sign supporting device including but not limited to buildings.

9. "Erect" means to construct, reconstruct, build, raise, assemble, place, affix, attach, create, paint, draw, or in any other way bring into being or establish; however, it shall not include any of the foregoing activities when performed incidental to the customary maintenance of a sign.

10. "Maintain" means to cause to remain in a state of good repair but does not include reconstruction.

11. "Reconstruction" means any repair to the extent of sixty percent or more of the replacement cost of the structure, excluding buildings.

12. "Visible" means capable of being read or comprehended without visual aid by a person of normal visual acuity.

13. "Adjacent area" means an area which is contiguous to and within six hundred and sixty feet of the nearest edge of the right-of-way of any interstate, freeway primary, or primary highway.

14. "Right-of-way" means land area dedicated to public use for the highway and its maintenance, and includes land acquired in fee simple or by permanent easement for highway purposes, but does not include temporary easements or rights for supplementary highway appurtenances.

15. "Information center" means a site, either with or without structures or buildings, established and maintained at a rest area for the purpose of providing "information of specific interest to the traveling public", as that phrase is defined in section eleven (11), subsection five (5), of this Act.

16. "Rest area" means an area or site established and maintained under authority of section three hundred thirteen point sixty-seven (813.67) of the Code within the right-of-way of an interstate, freeway primary, or primary highway under supervision and control of the commission for the safety, recreation, and convenience of the traveling public.

17. "Commercial or industrial zone" means those areas zoned commercial or industrial under authority of a law, regulation, or ordinance of this state, its subdivisions, or a municipality.

18. "Commercial or industrial activities" means those activities generally recognized as commercial or industrial by zoning authorities in this state, except that none of the following activities shall be considered commercial or industrial:

- a. Outdoor advertising structures.
- b. Agricultural, forestry, grazing, farming, and related activities, including, but not limited to, wayside fresh produce.
- c. Activities in operation less than three months per year.
- d. Activities conducted in a building principally used as a residence.
- e. Railroad tracks and minor spurs.
- f. Activities outside of adjacent areas, as defined by sections ten (10) through twenty-two (22), inclusive, of this Act.
- g. Activities which have been used in defining and delineating an unzoned area but which have since been discontinued or abandoned.
- h. Residential housing developments.
- i. Mobile home parks.
- j. Institutions of learning.
- k. State, county and charitable institutions.
- l. State and county conservation and recreation areas, public parks, forests, playgrounds, or other areas of historic interest or areas designated as scenic beautification areas under section three hundred thirteen point sixty-seven (313.67) of the Code.

19. "Unzoned commercial or industrial area" means those areas not zoned by state or local law, regulation, or ordinance, which are occupied by one or more commercial or industrial activities, and the land along the interstate, freeway primary and primary highways for a distance of seven hundred fifty feet immediately adjacent to the activities. All measurements shall be from the outer edge of the regularly used buildings, parking lots, storage, or processing areas of the activities and shall be parallel to the edge of pavement of the highway. Measurements shall not be from the property line of the activities unless that property line coincides with the limits of the activities. Unzoned commercial or industrial areas shall not include land on the opposite side of the highway from the commercial or industrial activities.

Sec. 11. Subject to the provision made in section twelve (12) of this Act regarding control of bonus interstate highways, no advertising device shall be erected or maintained within any adjacent area as defined in section ten (10) of this Act, except the following:

1. Signs, displays, and devices advertising the sale or lease of property upon which they are located.
2. Signs, displays, and devices advertising activities

conducted on the property on which they are located. Neither shall the property upon which they are located be construed to mean located upon any contiguous area having inconsistent use, size, shape, or ownership.

3. Signs adjacent to such highways located in commercial or industrial zones or in unzoned commercial or industrial areas in compliance with the regulatory standards of sections ten (10) through twenty-two (22), inclusive, of this Act and rules and regulations promulgated by the commission.

4. Signs upon or along such highways which are directional or other official traffic control devices and notices which signs and notices shall include, but not be limited to signs and notices pertaining to natural wonders, scenic and historic attractions which are required or authorized by law which shall conform with rules and regulations promulgated by the commission, provided that such rules shall be consistent with national standards promulgated from time to time by the appropriate authority of the federal government, pursuant to Title twenty-three (23), section one hundred thirty-one (131), paragraph c of the United States Code.

5. Signs, displays, and devices giving specific information of interest to the traveling public, may be erected and maintained within the right-of-way in such areas, and at appropriate distances from interchanges on the interstate system as shall conform with the rules and regulations promulgated by the commission. Such rules shall be consistent with national standards promulgated from time to time by the appropriate authority of the federal government pursuant to Title twenty-three (23), section one hundred thirty-one (131), paragraph f of the United States Code. For purposes of sections ten (10) through twenty-two (22), inclusive, of this Act, "specific information of interest to the traveling public", means only information about public places for outdoor recreation, camping, lodging, eating, and vehicle service and repair, including trade names only if it identifies such places as such.

Sec. 12. The commission shall control the erection and maintenance of signs authorized by section eleven (11), subsection three (3) of this Act in accord with the following criteria, except that in the case of bonus interstate highways the commission shall maintain the controls required under chapter three hundred six B (306B) of the Code or the controls required by sections ten (10) through twenty-two (22) of this Act, whichever controls are stricter:

1. Signs adjacent to interstate highways and freeway primary highways shall not be erected or maintained closer to another sign facing in the same direction than five hundred feet outside of cities and towns, and within two hundred fifty feet if inside of cities and towns. A sign may not be located within two hundred fifty feet of an interchange, or rest area. The measurement shall be from the nearest widening constructed for the purpose of acceleration or deceleration

of traffic movement to or from the main-traveled way to the sign.

2. Signs adjacent to primary highways shall not be erected or maintained closer to another sign facing in the same direction than one hundred feet if inside the corporate limits of a municipality. No sign, other than as excepted or permitted by subsections four (4), five (5), or six (6) of this section, shall be located within the triangular area formed by the line connecting two points each fifty feet back from the point where the street right-of-way lines of the main-traveled way and the intersecting street meet, or would meet, if extended.

3. Signs adjacent to primary highways shall not be erected or maintained closer to another sign facing in the same direction than three hundred feet if outside the corporate limits of a municipality. No sign, other than those excepted or permitted by subsections four (4), five (5), or six (6) of this section, shall be located within the triangular area formed by a line connecting two points each one hundred feet back from the point where the street right-of-way lines of the main-traveled way and the intersecting street meet, or would meet, if extended.

4. The distance spacing measurements fixed by subsections two (2) and three (3) of this section shall not apply to signs which are separated by a building in such a manner that only one sign located within the minimum spacing distance is visible from the highway at any one time.

5. Within a triangular area, as defined by subsections two (2) and three (3) of this section, occupied by a building or structure, no sign shall be erected or maintained closer to the intersection than the building or structure itself, except that a wall sign may be attached to said building or structure not to protrude more than twelve inches.

6. Official signs and signs advertising the sale or lease of the property or activities conducted upon the property as specified in Title twenty-three (23), section one hundred thirty-one (131), paragraph c of the United States Code, shall not be taken into consideration in determining compliance with spacing requirements.

7. The minimum distance between two signs facing the same direction shall apply without regard to the side of the highway on which the signs may be located and shall be measured along the center line of the highway between points directly opposite the signs.

8. Advertising devices shall not be erected, maintained, or illuminated:

a. In a manner to obscure or otherwise physically interfere with an official traffic sign, signal, or device, or to obstruct or physically interfere with any driver's view of approaching, merging, or intersecting traffic.

b. Unless effectively shielded to prevent light from being directed at any portion of the traveled highway with such intensity or brilliance as to cause glare or to impair

the vision of the driver of any motor vehicle.

c. Which contain, include, or are illuminated by any flashing, intermittent, or moving light or lights, except those giving public service information such as, but not limited to time, date, temperature, weather, news and similar information.

d. Which imitate or resemble an official sign or signal device or which are erected or maintained within or closer than three hundred feet from scenic areas, as defined and determined by the commission, or which are located or maintained upon trees, or painted or drawn upon rocks or natural features, or which are structurally unsafe or in substantial disrepair.

e. Which exceed one thousand two hundred square feet in area or in the case of a back-to-back or V-type sign, with a maximum of two facings per sign, seven hundred fifty square feet in area, including border and trim but excluding base or apron, support, and other structural members.

f. Which do not comply with all applicable state or local laws, regulations and ordinances, including but not limited to zoning, building, and sign codes as locally interpreted and applied and enforced, or which violate chapter three hundred nineteen (319) of the Code; however, nothing in sections ten (10) through twenty-two (22), inclusive, of this Act, shall prevent or restrict county or local zoning authorities from making a determination of customary use concerning size, lighting, and spacing of signs in zoned commercial or industrial adjacent areas, and such determinations will be accepted in lieu of the standards of sections ten (10) through twenty-two (22), inclusive, of this Act. The provisions of sections ten (10) through twenty-two (22), inclusive, of this Act shall not prevent or restrict county or local zoning authorities within their respective jurisdictions from establishing standards imposing controls stricter than those required by sections ten (10) through twenty-two (22), inclusive, of this Act.

g. The standards contained in this section pertaining to size, lighting, and spacing shall not apply to signs erected or maintained within six hundred sixty feet of the right-of-way of those portions of the interstate highway system exempted from control under chapter three hundred six B (306B) of the Code by authority of section three hundred six B point two (306B.2), subsection five (5) of the Code, nor to signs erected and maintained within adjacent areas along primary highways within zoned and unzoned commercial and industrial areas, unless said signs were erected subsequent to the effective date of sections ten (10) through twenty-two (22), inclusive, of this Act.

Sec. 13. Any sign lawfully in existence in an adjacent area on the effective date of sections ten (10) through twenty-two (22), inclusive, of this Act, which does not conform with the provisions of sections ten (10) through twenty-two (22), inclusive, of this Act, shall be required to be brought into conformity or removed within six years after

the effective date of sections ten (10) through twenty-two (22), inclusive, of this Act. Any sign lawfully erected after the effective date of sections ten (10) through twenty-two (22), inclusive, of this Act which subsequently becomes nonconforming, shall be required to be brought into conformity or removed within five years after the date the nonconformity occurs. However, no sign shall be acquired or be required to be removed pursuant to sections ten (10) through twenty-two (22), inclusive, of this Act unless the commission has received notification from the federal government that the federal share of "just compensation" to be paid is immediately available to contribute to the cost of acquisition or removal; this requirement shall not apply to the acquisition or removal of signs for which no federal share is payable.

Sec. 14. The commission shall acquire by purchase, gift, or condemnation, and shall pay "just compensation" upon the removal of any of the following signs which are not in conformity with the provisions of sections ten (10) through twenty-two (22), inclusive, of this Act:

1. Signs lawfully in existence on the effective date of sections ten (10) through twenty-two (22), inclusive, of this Act.

2. Signs lawfully in existence on land adjoining any highway made an interstate, freeway primary, or primary highways after the effective date of sections ten (10) through twenty-two (22), inclusive, of this Act.

3. Signs lawfully erected on or after the effective date of sections ten (10) through twenty-two (22), inclusive, of this Act, but which subsequently become nonconforming.

4. Any sign erected on the mistaken or negligent advice of any official or employee of the state of Iowa as to the interpretation, effect, or operation of sections ten (10) through twenty-two (22), inclusive, of this Act, chapter three hundred six B (306B) of the Code, or rules and regulations promulgated by the commission.

Sec. 15. Compensation required by section fourteen (14) of this Act shall be paid for the following:

1. The taking from the owner of such sign, display, or device of all right, title, leasehold, and interest in such sign, display or device.

2. The taking from the owner of real property on which a sign, display, or device is located, of the right to erect and maintain such signs, displays, and devices upon that real property.

Sec. 16. The provisions of chapters four hundred seventy-one (471) and four hundred seventy-two (472) of the Code shall be applicable to any such condemnation commenced pursuant to sections ten (10) through twenty-two (22), inclusive, of this Act, and the commission may take immediate possession of and remove such signs under the procedures of section four hundred seventy-two point twenty-five (472.25) of the Code.

Sec. 17. On every sign regulated by the provisions

of sections ten (10) through twenty-two (22), inclusive, of this Act, or on the structure on which the sign is displayed, shall be affixed the name and address of the owner of the display and the date of its erection. However, if the address of the owner is on file with the commission it need not be stated on the display. No sign permitted by section twelve (12) of this Act may be erected without first obtaining a permit from the commission. The application for a permit shall be on a form provided by the commission and shall contain such information as the commission may deem necessary. Upon receipt of an application containing all required information in due form and properly executed, together with a permit fee as provided in this section, the commission shall issue a permit to the applicant for the erection of the sign if the sign will not violate any provision of sections ten (10) through twenty-two (22), inclusive, of this Act, or of chapter three hundred six B (306B) of the Code, or any rule or regulation promulgated by the commission.

The fee for a permit shall be:

1. Two dollars for the initial permit and fifty cents for each annual renewal thereof, if the advertising area of the advertising device does not exceed fifty square feet.

2. Five dollars for the initial permit and one dollar for each annual renewal thereof, if the advertising area of the advertising device exceeds fifty square feet, but does not exceed three hundred square feet.

3. Ten dollars for the initial permit and two dollars for each annual renewal thereof, if the advertising area of the advertising device exceeds three hundred square feet.

Sec. 18. Any sign erected or maintained in an adjacent area after the effective date of sections ten (10) through twenty-two (22), inclusive, of this Act, in violation of sections ten (10) through twenty-two (22), inclusive, of this Act, or any sign erected or maintained in violation of chapter three hundred six B (306B) of the Code, or the rules and regulations promulgated by the commission, is a public nuisance and may be removed by the commission upon thirty days' notice, by certified mail, to the owner of the device and to the owner of the land on which the sign is located. The notice shall require such owners to remove the sign if it is prohibited, or to cause it to conform to sections ten (10) through twenty-two (22), inclusive, of this Act or rules and regulations promulgated by the commission if it is not prohibited.

1. If the landowner or owner of the sign fails to act within thirty days as required in the notice, the commission may enter upon the land and remove the sign. Such entry after notice, shall not be deemed a trespass and the commission may be aided by injunction to abate the nuisance and to insure peaceful entry.

2. The cost of removal, including any fees and costs or expenses as may arise out of any action brought by the commission to insure peaceful entry and removal, shall be assessed against the owner of the sign. Should the owner

of the sign fail to promptly pay such fees, costs, or expenses, the commission shall proceed to advertise and sell the sign for purposes of collecting the same. Any balance from the total receipts of the sale after deducting all fees, costs, and expenses, including those of the sale, shall be paid to the owner of the sign; however, if in the opinion of the commission the proceeds of the sale will not be sufficient to justify the expense involved, the sign may be used, scrapped, dismantled, or otherwise destroyed or disposed of by the commission as it sees fit.

Sec. 19. Whoever erects a sign in violation of sections ten (10) through twenty-two (22), inclusive, of this Act or chapter three hundred six B (306B) of the Code or the rules and regulations promulgated by the commission shall be guilty of a misdemeanor and upon conviction be fined not less than twenty-five dollars nor more than one hundred dollars.

Sec. 20. The commission shall enter into agreements with the duly constituted federal authorities in order to secure for the state all bonus federal funds allotted and appropriations to the state and to avoid loss or reduction, under Title twenty-three (23), section one hundred thirty-one (131), of the United States Code, of federal aid funds apportioned or to be apportioned to the state under Title twenty-three (23), section one hundred four (104) of the United States Code. The commission may accept funds from whatever source, including any allotment of funds by the United States, or any of its departments or agencies, appropriated to carry out the purposes of Title twenty-three (23), section one hundred thirty-one (131) of the United States Code. The commission shall take such steps as may be necessary to obtain from the United States or any of its departments or agencies, funds allotted and appropriated for the purpose of paying the federal share of just compensation to be paid to sign owners and owners of the real property under the terms of this Act and Title twenty-three (23), section one hundred thirty-one (131), paragraph g of the United States Code.

Sec. 21. The commission may establish or enter into agreements with private persons, firms, or corporations for the establishment of information centers in rest areas on the interstate, freeway primary, and primary highways, subject to the approval of the appropriate authority of the federal government.

Sec. 22. Section three hundred six B point five (306B.5), Code 1971, is amended to read as follows:

306B.5 NUISANCE DECLARED. Any advertising device erected adjacent to any interstate system after May 21, 1965, which violates the provisions of this chapter or fails to comply with the rules and regulations promulgated by the state highway commission is a public nuisance. The state highway commission shall give thirty days' notice, by certified mail, to the owner of the device and to the owner of the land on which said device is located to remove

such advertising device if it is a prohibited device or cause it to conform to rules and regulations if it is an authorized device. [If the landowner or owner of the device fails to act within thirty days as required in the notice, the state highway commission may file a petition in the district court of the county where such advertising device is located to abate the nuisance. If the court finds that a violation exists as alleged in the petition, the court shall enter an order of abatement against the person or persons erecting or maintaining such advertising device and against the person or persons owning the land on which such advertising device is located.] *If the landowner or owner of the sign fails to act within thirty days as required in the notice, the state highway commission may enter upon the land and remove the sign. Such entry after notice, shall not be deemed a trespass and the commission may be aided by injunction to abate the nuisance and to insure peaceful entry. The cost of removal, including any fees and costs or expenses as may arise out of any action brought by the commission to insure peaceful entry and removal, shall be assessed against the owner of the sign. Should the owner of the sign fail to promptly pay such fees, costs or expenses, the commission shall proceed to advertise and sell the sign for purposes of collecting the same. Any balance from the total receipts of the sale after deducting the fees, costs and expenses, including those of the sale, shall be paid to the owner of the sign; however, if in the opinion of the commission, the proceeds of the sale will not be sufficient to justify the expense involved, the sign may be used, scrapped, dismantled, or otherwise destroyed or disposed of by the commission as it sees fit.*

4. Page 1, lines 1 and 2, by striking everything after the word "to" and inserting in lieu thereof the words "the state's compliance with the federal Highway Beautification Act regarding junkyard and billboard standards, and providing penalties."

Holden of Scott offered the following amendment filed by him:

Amend the Senate amendment to House File 734 as follows:

1. By striking lines 26 through 30 and inserting in lieu thereof the following: "4. Primary highway means the federal aid primary system."

2. Line 82, by striking the words "or without".

Division of the amendment was requested.

Holden of Scott moved the adoption of amendment 1, lines 1 through 5 of his amendment.

Amendment 1 was adopted.

Holden of Scott moved the adoption of amendment 2, line 6 of his amendment.

Amendment 2 was adopted.

Holden of Scott offered the following amendment filed by Holden, et al.:

Amend the Senate amendment to House File 734 as follows:

1. Line 3, by inserting after the word "Billboard" the word "Control".

2. Line 165, by striking the words "read or" and inserting in lieu thereof the words "seen but not necessarily".

3. Line 266, by inserting after the word "erected" the words "by the commission".

4. Line 278, by striking the words "vehicle service and repair" and inserting in lieu thereof the words "gas and associated services which means the business shall be in continuous operation sixteen hours per day, seven days per week, with telephones and restroom facilities, motor fuel, oil, and water, including trade names."

5. By striking lines 279 and 280 and inserting in lieu thereof the following:

"Commercial vendors using informational signs shall furnish and maintain informational panels to the commission and the commercial vendor shall pay an annual fee of twenty-five dollars for each informational panel to the commission for posting such informational panels. There is created in the office of the treasurer of state a fund to be known as the 'highway beautification fund' and all funds received for the posting of informational panels shall be deposited in the 'highway beautification fund'."

6. Line 548, by inserting after the period the words "All moneys received pursuant to the provisions of this Act shall be deposited in the 'highway beautification fund'."

Division of the amendment was requested.

Holden of Scott asked and received unanimous consent to withdraw amendment 2, lines 5 through 7 of the Holden, et al., amendment.

Holden of Scott moved the adoption of amendment 1, lines 1 through 4 of the Holden, et al., amendment.

Amendment 1 was adopted.

Speaker pro tempore Millen in the chair at 10:05 a.m.

Holden of Scott moved the adoption of amendment 3, lines 8 and 9 of the Holden, et al., amendment.

Amendment 3 was adopted.

Holden of Scott moved the adoption of amendment 4, lines 10 through 16 of the Holden, et al., amendment.

Amendment 4 was adopted.

Holden of Scott moved the adoption of amendment 5, lines 17 through 28 of the Holden, et al., amendment.

Roll call was requested by Kennedy of Chickasaw and Blouin of Dubuque.

On the question "Shall amendment 5 be adopted?"

The ayes were, 67:

Alt	Hamilton	Miller	Sorg
Andersen	Harbor	Moffitt	Stanley
Bennett	Hill	Mollett	Stokes
Bergman	Holden	Nielsen	Strand
Camp	Jesse	Nystrom	Strothman
Campbell	Kehe	Pellett	Taylor
Christensen	Knoke	Pelton	Trowbridge
Clark	Kruse	Pierson	Uban
Den Herder	Larson	Radl	Varley
Dougherty	Lawson	Rex	Waugh
Dunton	Lipsky	Roorda	Weiden
Egenes	Logemann	Sargisson	Wells
Ellsworth	Mayberry	Schroeder	Willits
Fischer, H. O.	McElroy	Schwartz	Winkelman
Fisher, C. R.	Mendenhall	Schwieger	Wyckoff
Freeman	Menefee	Scott	Mr. Speaker
Gluba	Middleswart	Siglin	(Millen)

The nays were, 15:

Blouin	Franklin	McCormick	Rodgers
Bray	Husak	Monroe	Small
Doyle	Kelly	Norpel	Tieden
Edelen	Kennedy	Priebe	

Absent or not voting, 18:

Anania	Goode	Knoblauch	Shaw
Cochran	Grassley	Kreamer	Skinner
Curtis	Hansen	Patton	Stromer
Drake	Johnston	Schmeiser	Wirtz
Ewell	Kinley		

Amendment 5 was adopted.

Holden of Scott moved the adoption of amendment 6, lines 29 through 32 of his amendment.

Amendment 6 was adopted.

Kelly of Woodbury asked and received unanimous consent to withdraw the amendment filed by him on February 29, 1972, and found on page 860 of the House Journal.

Welden of Hardin offered the following amendment filed by him and moved its adoption:

Amend the Senate amendment to House File 734 by inserting after the comma in line 239 the following: "or on the right-of-way of any primary highway,".

The amendment was adopted.

Speaker Harbor in the chair at 10:50 a.m.

Larson of Story offered the following amendment filed by Larson, et al., and moved its adoption:

Amend the Senate amendment to House File 734 by striking all of lines 242 through 246 and insert in lieu thereof the following;

2. Signs, displays, and devices advertising activities conducted on the property on which they are located. Such advertised activities shall not be construed to mean activities which are merely ancillary to the primary advertising activities; neither shall the property upon which they are located be construed to mean located upon any contiguous area having inconsistent use, size, shape or ownership.

A non-record roll call was requested.

The ayes were 19, nays 58.

The amendment lost.

Holden of Scott asked and received unanimous consent to withdraw the amendment filed by him on February 22, 1972, and found on page 626 of the House Journal.

Jesse of Polk offered from the floor the following amendment filed by him and Bray of Scott and moved its adoption:

Amend the Senate amendment to House File 734, line 280, by inserting after the period the following:

"Information on gas and associated services may include vehicle service and repair where the same is available."

The amendment was adopted.

Varley of Adair asked and received unanimous consent to withdraw the amendment filed by him on February 28, 1972, and found on page 826 of the House Journal.

Varley of Adair offered the following amendment filed by him and Schwieger of Black Hawk and moved its adoption:

Amend the Senate amendment to House File 734 as follows:

1. By adding the following new section after line 280:

"Sec. 12. An advertising device shall not be constructed or reconstructed beyond the adjacent area in unincorporated areas of the state if it is visible from the main-traveled way of any interstate or primary highway except for advertising devices permitted in section eleven (11), subsections one (1) and two (2) of this Act. Any advertising device permitted beyond an adjacent area in unincorporated areas of the state shall be subject to the applicable permit provisions of section seventeen (17) of this Act."

2. Lines 486 and 487, by striking the words "in an adjacent area".

3. By renumbering sections and correcting internal references in conformance to the provisions of this amendment.

The amendment was adopted.

Uban of Black Hawk asked and received unanimous consent to withdraw the amendment filed by him and Larson of Story on February 24, 1972, and found on page 766 of the House Journal and the amendment filed by him on February 25, 1972, and found on page 787 of the House Journal.

Lipsky of Linn offered the following amendment filed by her:

Amend the Senate amendment to House File 734 as follows:

1. By striking lines 247 through 251, inclusive.

2. By striking lines 281 through 447, inclusive, and inserting in lieu thereof the following new sections:

1. "Sec. The commission shall control the erection and maintenance of signs authorized by section eleven (11) of this Act in accord with the following criteria, except that in the case of bonus interstate highways the commission shall maintain the controls required under chapter three hundred six B (306B) of the Code or the controls required by sections ten (10) through twenty-two (22), inclusive, of this Act, whichever controls are stricter. Signs shall not be erected, maintained or illuminated:

1. In a manner to obscure or otherwise physically interfere with an official traffic sign, signal, or device, or to obstruct or physically interfere with any driver's view of approaching, merging, or intersecting traffic.

2. Unless effectively shielded to prevent light from being directed at any portion of the traveled highway with such intensity or brilliance as to cause glare or to impair the vision of the driver of any motor vehicle.

3. Which contain, include, or are illuminated

by any flashing, intermittent, or moving light or lights, except those giving public service information such as, but not limited to time, date, temperature, weather, news and similar information.

4. Which imitate or resemble an official sign or signal or device or which are erected or maintained within or closer than three hundred feet from scenic areas, as defined and determined by the commission, or which are located or maintained upon trees, or painted or drawn upon rocks or natural features, or which are structurally unsafe or in substantial disrepair.

5. Which exceed one thousand two hundred square feet in area or in the case of a back-to-back or V-type sign, with a maximum of two facings per sign, seven hundred fifty square feet in area, including border and trim but excluding base or apron, support, and other structural members.

6. Which do not comply with all applicable state or local laws, regulations and ordinances, including but not limited to zoning, building, and sign codes as locally interpreted and applied and enforced, or which violate chapter three hundred nineteen (319) of the Code; however, nothing in sections ten (10) through twenty-two (22), inclusive, of this Act shall prevent or restrict county or local zoning authorities from making a determination of customary use concerning size, lighting, and spacing of signs in zoned commercial or industrial adjacent areas, and such determinations will be accepted in lieu of the standards of sections ten (10) through twenty-two (22), inclusive of this Act. The provisions of sections ten (10) through twenty-two (22), inclusive, of this Act shall not prevent or restrict county or local zoning authorities within their respective jurisdictions from establishing standards imposing controls stricter than those required by sections ten (10) through twenty-two (22), inclusive, of this Act."

2. "Sec. Any sign lawfully in existence in an adjacent area on the effective date of sections ten (10) through twenty-two (22), inclusive, of this Act, which does not conform with the provisions of sections ten (10) through twenty-two (22), inclusive, of this Act or any sign lawfully erected after the effective date of sections ten (10) through twenty-two (22), inclusive, of this Act which subsequently becomes nonconforming, shall be required to be brought into conformity or removed by the last day of the tax year in which final depreciation is taken for purposes of the owner's income tax returns, according to allowable depreciation schedules."

3. By renumbering the sections and subsections as necessary.

Division of the amendment was requested.

Speaker pro tempore Millen in the chair at 11:35 a.m.

Lipsky of Linn asked and received unanimous consent to withdraw lines 3 through 66 of her amendment.

Lipsky of Linn moved the adoption of lines 67 through 81 of her amendment.

A non-record roll call was requested.

The ayes were 10, nays 63.

Lines 67 through 81 of the Lipsky amendment lost.

Welden of Hardin asked and received unanimous consent to withdraw the amendment filed by Welden, et al., on February 16, 1972, and found on pages 517 and 518 of the House Journal.

Welden of Hardin offered the following amendment filed by Welden, et al.:

Amend Senate amendment to House File 734 as follows:

1. Line 265, by striking the word "may" and inserting in lieu thereof the word "shall"
2. Line 268, by inserting following the word "system" the words "and freeway primary highways".
3. By striking lines 456 through 485 inclusive and inserting in lieu thereof the following:

Sec. 17. Within thirty days from the effective date of this Act, the owner of every sign regulated by the provisions of this Act, except signs excepted by subsections one (1), two (2), four (4) and five (5) of Section 11 of this Act, shall be required to make application to the commission for a permit.

The application for a permit shall be on a form provided by the commission and shall contain the name and address of the owner of the sign and the name and address of the owner of the real property on which it is located; the date of its erection; a description of its location; its dimensions; and such other information required by the commission, together with a permit fee as provided in this section.

After the effective date of this Act, no new sign for which an application for a permit is required may be erected without first obtaining a permit from the commission, except in the case of signs lawfully in existence in areas adjacent to any highway made an interstate, freeway primary, or primary highway after the effective date of this Act.

The owner shall be required to make application for a permit as provided for in this section within thirty days after the date the said highway acquired said designation.

Upon receipt of an application containing all the required information in due form and properly executed together with the fee required, the commission shall issue a permit to be affixed to the sign if the sign will not violate any provision of Sections 10 through 22 inclusive, of this Act, or any rule or regulation promulgated by the commission, provided that in the case of signs to be acquired pursuant to Section 14 of this Act a provisional permit shall be issued.

The fee for both types of permits shall be five dollars for the initial fee and for each annual renewal. The fees collected for the above permits shall be credited to a special account entitled the "Highway Beautification Fund" and all salaries and expenses incurred in administering this Act shall be paid from this fund or from specific appropriations for this purpose, except that surveillance of, and removal of, signs performed by regular maintenance personnel are not to be charged against the account.

4. By striking all of line 490 after the word "Act" and all of line 491 through the word "Code".

5. By striking all of lines 521 through 527 inclusive.

Division of the amendment was requested.

Welden of Hardin moved the adoption of amendment 1, lines 1 through 4 of his amendment.

A non-record roll call was requested.

The ayes were 60, nays 23.

Amendment 1 was adopted.

Welden of Hardin moved the adoption of amendments 2, 3, 4 and 5, lines 5 through 61 of his amendment.

Amendments 2, 3, 4 and 5 were adopted.

(House File 734 pending at recess.)

The House was recessed until 1:30 p.m.

AFTERNOON SESSION

The House reconvened, Speaker pro tempore Millen in the chair.

CONSIDERATION OF BILLS

The House resumed consideration of **House File 734**.

Varley of Adair offered the following amendment filed by him :

Amend the Senate amendment to House File 734 as follows :

1. Line 224 by striking the words “, freeway primary,” and inserting in lieu thereof the word “highways”.
2. Lines 240 and 242 by striking the words “Signs, displays, and devices advertising” and inserting in lieu thereof the words “Advertising devices concerning”.
3. Line 247 by striking the words “Signs adjacent to such highways” and inserting in lieu thereof the words “Advertising devices within the adjacent area”.
4. Line 252 by striking the words “Signs upon or along such highways” and inserting in lieu thereof the words “Advertising devices within the adjacent area”.
5. Lines 254 and 255 by striking the words “signs and notices” wherever they appear and inserting in lieu thereof the words “advertising devices”.
6. Line 264 by striking the words “Signs, displays, and” and inserting in lieu thereof the word “Advertising”.
7. Lines 282, 320, 336, 338, 340, 376, 387, 393, 395, 416, 420, and 453 by striking the word “signs” wherever it appears and inserting in lieu thereof the words “advertising devices”.
8. Lines 289, 299, and 309 by striking the words “Signs adjacent to” wherever they appear and inserting in lieu thereof the words “Advertising devices located within the adjacent area of”.
9. Lines 153, 291, 298, 300, 302, 310, 312, 322, 326, 328, 364, 365, 398, 405, 410, 433, 456, 458, 462, 471, 486, 490, 495, 496, 501, 503, 510, 511, 512, 516, 518, and 545 by striking the word “sign” wherever it appears and inserting in lieu thereof the words “advertising device”.
10. Lines 159 and 521 by striking the words “a sign” wherever they appear and inserting in lieu thereof the words “an advertising device”.
11. Line 293 by striking the word “A sign” and inserting in lieu thereof the words “An advertising device”.
12. Line 330 by striking the words “signs and signs advertising” and inserting in lieu thereof the words “advertising devices and advertising devices concerning”.
13. Lines 423, 426, and 430 by striking the word “Signs” wherever it appears and inserting in lieu thereof the words “Advertising devices”.
14. Lines 441 and 442, and 443 by striking the words “sign, display, or” wherever they appear and inserting in lieu thereof the word “advertising”.
15. Line 445 by striking the words “a sign, display, or”

and inserting in lieu thereof the words "an advertising".

16. Line 446 by striking the words "signs, displays, and" and inserting in lieu thereof the word "advertising".

17. Line 460 by striking the word "display" and inserting in lieu thereof the words "advertising device".

18. Line 494 by adding before the word "device" the word "advertising".

Varley of Adair asked and received unanimous consent to withdraw amendments 4, 5 and 6, lines 11 through 18 of his amendment.

Varley of Adair moved the adoption of amendments 1, 2, 3, lines 1 through 10 and amendments 7 through 18, lines 19 through 53 of his amendment.

Amendments 1, 2, 3 and 7 through 18 were adopted.

Holden of Scott offered the following amendment filed by him:

Amend the Senate amendment to House File 734 as follows:

1. Line 493, by striking the words "upon thirty" and inserting in lieu thereof the words "in the manner provided in section three hundred six B point five (306B.5) of the Code."

2. By striking lines 494 through 520, inclusive.

3. By striking lines 557 through 595, inclusive, and inserting in lieu thereof the following:

306B.5 NUISANCE DECLARED. Any advertising device erected adjacent to any interstate system after May 21, 1965, which violates the provisions of this chapter or fails to comply with the rules and regulations promulgated by the state highway commission is a public nuisance. The state highway commission shall give thirty days' notice, by certified mail, to the owner of the device and to the owner of the land on which said device is located to remove such advertising device if it is a prohibited device or cause it to conform to rules and regulations if it is an authorized device. If the landowner or owner of the device fails to act within thirty days as required in the notice, the state highway commission may file a petition in the district court of the county where such advertising device is located to abate the nuisance. If the court finds that a violation exists as alleged in the petition, the court shall enter an order of abatement against the person or persons erecting or maintaining such advertising device and against the person or persons owning the land on which such advertising device is located. *If the landowner or owner of the sign fails to act within the time required in the order of abatement, the*

state highway commission may give thirty days' notice to the landowner or owner of the sign and at the end of thirty days the commission may enter upon the land and remove the sign. Such entry after notice, shall not be deemed a trespass and the commission may be aided by injunction to abate the nuisance and to insure peaceful entry. The cost of removal, including any fees and costs or expenses as may arise out of any action brought by the commission to insure peaceful entry and removal, shall be assessed against the owner of the sign. Should the owner of the sign fail to promptly pay such fees, costs or expenses, the commission shall proceed to advertise and sell the sign for purposes of collecting the same. Any balance from the total receipts of the sale after deducting the fees, costs and expenses, including those of the sale, shall be paid to the owner of the sign; however, if in the opinion of the commission, the proceeds of the sale will not be sufficient to justify the expense involved, the sign may be used, scrapped, dismantled, or otherwise destroyed or disposed of by the commission as it sees fit.

Holden of Scott asked and received unanimous consent to withdraw amendments 1 and 2, lines 3 through 7 of his amendment.

Holden of Scott moved the adoption of amendment 3, lines 8 through 56 of his amendment.

Amendment 3 was adopted.

Welden of Hardin moved that the House concur in the Senate amendment as amended by the House.

A non-record roll call was requested.

The ayes were 67, nays 12.

The motion prevailed and the House concurred in the Senate amendment as amended by the House.

Speaker Harbor in the chair at 2:25 p.m.

Welden of Hardin moved that the bill, as amended by the Senate, further amended by the House and concurred in by the House, be read a last time now and placed upon its repassage which motion prevailed and the bill was read the last time.

Rule 70 was invoked.

On the question "Shall the bill pass?" (H.F. 734)

The ayes were, 70:

Alt	Freeman	Middleswart	Siglin
Andersen	Gluba	Millen	Small
Bennett	Hamilton	Miller	Sorg
Bergman	Hansen	Moffitt	Stanley
Blouin	Hill	Mollett	Strand
Camp	Kehe	Monroe	Stromer
Campbell	Kinley	Norpel	Trowbridge
Christensen	Knoblauch	Nystrom	Uban
Clark	Knoke	Pelton	Varley
Cochran	Larson	Pierson	Waugh
Drake	Lawson	Rex	Welden
Dunton	Lipsky	Schmeiser	Wells
Edelen	Logemann	Schroeder	Willits
Egenes	Mayberry	Schwartz	Winkelman
Ellsworth	McCormick	Schwieger	Wirtz
Ewell	McElroy	Scott	Wyckoff
Fisher, C. R.	Mendenhall	Shaw	Mr. Speaker
Franklin	Menefee		

The nays were, 23:

Bray	Husak	Kruse	Sargisson
Den Herder	Jesse	Nielsen	Stokes
Dougherty	Johnston	Priebe	Strothman
Doyle	Kelly	Radl	Taylor
Fischer, H. O.	Kennedy	Rodgers	Tieden
Holden	Kreamer	Roorda	

Absent or not voting, 7:

Anania	Goode	Patton	Skinner
Curtis	Grassley	Pellett	

The bill having received a constitutional majority was declared to have repassed the House and the title as amended was agreed to.

INTRODUCTION OF BILLS

House File 1280, by committee on appropriations, a bill for an act relating to the appropriation to the state board of regents.

Read first time and placed on the appropriations calendar.

House File 1281, by committee on appropriations, a bill for an act making an appropriation to the state board of regents for the purpose of providing funds for use in a medical education and community orientation program.

Read first time and placed on the appropriations calendar.

House File 1282, by committee on appropriations, a bill for an act relating to the creation of a physicians' assistants fund and making an appropriation therefor.

Read first time and placed on the appropriations calendar.

House File 1283, by committee on ways and means, a bill for an act relating to income tax of nonresidents.

Read first time and placed on the ways and means calendar.

**CONSIDERATION OF BILLS
SIFTING COMMITTEE CALENDAR**

House File 1156, a bill for an act creating an Iowa world exposition authority, and specifying its purposes, powers and responsibilities, was taken up for consideration.

Priebe of Kossuth offered the following amendment filed by him:

Amend House File 1156 as follows:

1. Page 2, by striking lines 6 through 21, inclusive, and inserting in lieu thereof the following:

“Sec. 2. There is created an Iowa world exposition authority which shall have eleven members selected as follows:

1. Four members appointed by the governor.
2. Two members of the senate appointed by the president of the senate, not more than one of which shall be from the same political party.
3. Two members of the house of representatives appointed by the speaker of the house of representatives, not more than one of which shall be from the same political party.
4. The secretary of agriculture or his designee.
5. The director of the Iowa development commission or his designee.
6. The dean of the college of agriculture, Iowa state university of science and technology, or his designee.

The appointive members shall be appointed for terms of six years, except that of the initial authority membership, the two members appointed by the president of the senate shall be appointed to four-year terms and the two members appointed by the speaker of the house of representatives shall be appointed for two-year terms. Any vacancy occurring during a term of office shall be filled by appointment for the balance of the unexpired term. The term of office of each appointive member shall commence on the first day of July of the year of the appointment, except that the appointive members of the initial authority may assume the duties of their office at an earlier date specified by the governor. The governor shall designate a chairman and vice chairman from the members of the authority. No appointive member shall be appointed to serve more than two consecutive six-year terms.”

2. Page 3, by inserting after line 8 the following new paragraph:

"The authority shall extend an invitation to the directors of the international livestock exposition to relocate their annual exposition in this state."

3. Page 3, by inserting after the period in line 30 the following:

"Before acquiring any real property by purchase to be used as a site for the exposition, the authority shall first investigate and consider the acquisition of real property adjacent to the state fair grounds, or any gift of real property, which may be suitable for such purpose."

Division of the amendment was requested.

Taylor of Dubuque offered the following amendment to amendment 1, lines 1 through 37 of the Priebe amendment and moved its adoption:

Amend the Priebe amendment to House File 1156, filed February 11, by striking all after the period in line 34 and through the period in line 35.

A non-record roll call was requested.

The ayes were 40, nays 31.

The amendment to amendment 1 of the Priebe amendment was adopted.

Priebe of Kossuth moved the adoption of amendment 1 of his amendment as amended.

A non-record roll call was requested.

The ayes were 45, nays 36.

Amendment 1 as amended was adopted.

Priebe of Kossuth moved the adoption of amendment 2, lines 38 through 42 of his amendment.

Amendment 2 was adopted.

Priebe of Kossuth moved the adoption of amendment 3, lines 43 through 50 of his amendment.

A non-record roll call was requested.

The ayes were 45, nays 33.

Amendment 3 was adopted.

Winkelman of Calhoun offered the following amendment filed by him and Stanley of Linn:

Amend House File 1156 as follows:

1. Page 2, line 8, by inserting after the comma the following: "with the approval of two-thirds of the members of the senate,".
2. Page 2, line 20, by striking the word "complete" and inserting in lieu thereof the word "consecutive".
3. Page 4, lines 25 and 26, by striking the following: "with the approval of two-thirds of the members of the senate,".
4. Page 4, line 30, by striking the word "support" and inserting in lieu thereof the word "approval".
5. Page 4, line 33, by striking the words "Direct and administer" and inserting in lieu thereof the word "Administer".

Winkelman of Calhoun asked and received unanimous consent to withdraw amendments 1 and 2, lines 2 through 6 of the amendment.

Winkelman of Calhoun moved the adoption of amendments 3, 4 and 5, lines 7 through 14 of the amendment.

Amendments 3, 4 and 5 were adopted.

Taylor of Dubuque asked and received unanimous consent to withdraw the amendment filed by him on February 14, 1972, and found on page 448 of the House Journal.

Welden of Hardin offered the following amendment filed by him:

Amend House File 1156 as follows:

1. Page 3, line 21, by adding after the period the following:
"However, they may not by any contract or agreement make any commitment to expend or obligate state funds in excess of the amount which has previously been appropriated."
2. Page 3, by striking all of lines 25 through line 27.

Division of the amendment was requested.

Welden of Hardin moved the adoption of amendment 1, lines 1 through 7 of his amendment.

A non-record roll call was requested.

The ayes were 60, nays 16.

Amendment 1 of the amendment was adopted.

Kreamer of Polk in the chair at 4:00 p.m.

Welden of Hardin moved the adoption of amendment 2, lines 8 and 9 of his amendment.

A non-record roll call was requested.

The ayes were 24, nays 55.

Amendment 2 of the amendment lost.

Taylor of Dubuque offered the following amendment filed by him:

Amend House File 1156 as follows:

1. Page 4, after the period in line 7 add the following:

"This subsection is subject to Article one (I), Section ten (10), of the Constitution of the United States".

2. Page 6, amend line 1 by striking the words "property and".

3. Page 6, after line 8 by adding a new section:

"The authority shall cease to exist when the purpose for which it was formed is accomplished and after its debts and bonds are paid. Any funds remaining shall revert to the general fund of the state. The general assembly shall dispose of or designate the use of property for which the authority was responsible."

Division of the amendment was requested.

Uban of Black Hawk moved that the Taylor amendment and House File 1156 be tabled.

Varley of Adair rose on a point of order that the Uban motion was out of order.

The Speaker ruled the point well taken.

Blouin of Dubuque moved that House File 1156 be tabled.

A non-record roll call was requested.

The ayes were 18, nays 64.

The motion lost.

Taylor of Dubuque asked and received unanimous consent that amendment 1, lines 2 through 6 of his amendment be withdrawn.

Kennedy of Chickasaw moved the adoption of amendment 2, lines 7 and 8 of the Taylor amendment.

Roll call was requested by Kennedy of Chickasaw and Taylor of Dubuque.

On the question "Shall amendment 2 of the Taylor amendment be adopted?"

The ayes were, 45:

Bergman	Gluba	Lawson	Stokes
Blouin	Grassley	Millen	Strothman
Bray	Hamilton	Monroe	Taylor
Christensen	Hansen	Nielsen	Uban
Clark	Husak	Priebe	Varley
Cochran	Jesse	Radl	Welden
Dunton	Johnston	Rex	Wells
Edelen	Kehe	Schwieger	Willits
Egenes	Kelly	Scott	Wyckoff
Ellsworth	Kennedy	Siglin	Mr. Speaker
Fisher, C. R.	Kinley	Small	(Kreamer)
Freeman	Larson		

The nays were, 33:

Alt	Kruse	Norpel	Stanley
Andersen	Lipsky	Pierson	Strand
Camp	Logemann	Rodgers	Stromer
Campbell	McElroy	Roorda	Tieden
Den Herder	Mendenhall	Sargisson	Trowbridge
Dougherty	Menefee	Schroeder	Waugh
Doyle	Miller	Shaw	Winkelman
Knoblauch	Moffitt	Sorg	Wirtz
Knoke			

Absent or not voting, 22:

Anania	Franklin	McCormick	Pellett
Bennett	Goode	Middleswart	Pelton
Curtis	Harbor	Mollett	Schmeiser
Drake	Hill	Nystrom	Schwartz
Ewell	Holden	Patton	Skinner
Fischer, H. O.	Mayberry		

Amendment 2 of the amendment was adopted.

Taylor of Dubuque moved the adoption of amendment 3, lines 9 through 16 of his amendment.

A non-record roll call was requested.

The ayes were 13, nays 55.

Amendment 3 of the amendment lost.

Trowbridge of Floyd offered the following amendment from the floor and moved its adoption:

Amend House File 1156, page 3, line 27, by inserting after the word "system" the following: ", with

the earnings to be added to the fund created by this Act”.

The amendment was adopted.

Small of Johnson offered the following amendment filed by him and moved its adoption:

Amend House File 1156, page 4, by striking all of lines 11 through 13.

Roll call was requested by Gluba of Scott and Blouin of Dubuque.

On the question “Shall the amendment be adopted?”

The ayes were, 29:

Blouin	Hill	Larson	Sorg
Bray	Husak	Mayberry	Taylor
Clark	Jesse	Monroe	Uban
Egenes	Johnston	Pelton	Welden
Ewell	Kehe	Radl	Wells
Gluba	Kennedy	Schwieger	Willits
Grassley	Kinley	Small	Wyckoff
Hansen			

The nays were, 52:

Alt	Fisher, C. R.	Norpel	Stanley
Andersen	Knoblauch	Nystrom	Stokes
Bennett	Knoke	Pellett	Strand
Bergman	Kruse	Pierson	Stromer
Camp	Lawson	Priebe	Strothman
Campbell	Logemann	Rex	Tieden
Christensen	McElroy	Rodgers	Trowbridge
Cochran	Mendenhall	Roorda	Varley
Den Herder	Menefee	Sargisson	Waugh
Dougherty	Millen	Schmeiser	Winkelman
Doyle	Miller	Schroeder	Wirtz
Dunton	Moffitt	Scott	Mr. Speaker
Edelen	Nielsen	Siglin	(Kreamer)
Ellsworth			

Absent or not voting, 19:

Anania	Freeman	Kelly	Patton
Curtis	Goode	Lipsky	Schwartz
Drake	Hamilton	McCormick	Shaw
Fischer, H. O.	Harbor	Middleswart	Skinner
Franklin	Holden	Mollett	

The amendment lost.

By unanimous consent, the following amendments were withdrawn:

Scott of Cerro Gordo amendment filed on February 24, 1972, and found on page 766 of the House Journal.

Skinner-Kennedy amendment filed on February 22, 1972, and found on page 627 of the House Journal.

Winkelman of Calhoun offered the following amendment filed by him and moved its adoption:

Amend House File 1156, page 7, by striking all of lines 10 through 14 and inserting in lieu thereof the following:

"Sec. 13. This Act, deemed of immediate importance, shall be in full force and take effect from and after its passage and publication in the Sioux City Journal, a newspaper published in Sioux City, Iowa, and the Davenport Times Democrat, a newspaper published in Davenport, Iowa."

The amendment was adopted.

Winkelman of Calhoun moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

Rule 70 was invoked.

On the question "Shall the bill pass?" (H.F. 1156)

The ayes were, 58:

Alt	Ellsworth	Middleswart	Schroeder
Andersen	Gluba	Millen	Scott
Bennett	Grassley	Miller	Siglin
Camp	Hamilton	Moffitt	Stanley
Campbell	Hansen	Norpel	Strand
Christensen	Harbor	Nystrom	Stromer
Clark	Hill	Pellett	Strothman
Cochran	Knoblauch	Pelton	Tieden
Den Herder	Knoke	Pierson	Trowbridge
Dougherty	Kruse	Priebe	Varley
Doyle	Lawson	Rodgers	Waugh
Drake	Logemann	Roorda	Winkelman
Dunton	McElroy	Sargisson	Wirtz
Edelen	Mendenhall	Schmeiser	Mr. Speaker
Egenes	Menefee		

The nays were, 32:

Bergman	Husak	Lipsky	Sorg
Blouin	Jesse	Monroe	Stokes
Bray	Johnston	Nielsen	Taylor
Ewell	Kehe	Radl	Uban
Fisher, C. R.	Kelly	Rex	Welden
Fischer, H. O.	Kennedy	Schwieger	Wells
Freeman	Kinley	Shaw	Willits
Holden	Larson	Small	Wyckoff

Absent or not voting, 10:

Anania	Goode	Mollett	Schwartz
Curtis	Mayberry	Patton	Skinner
Franklin	McCormick		

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

Stanley of Linn moved that the vote by which House File 1156 passed the House be reconsidered and the motion to reconsider be tabled.

The ayes were 48, nays 32.

The motion having failed to receive a constitutional majority lost.

EXPLANATION OF VOTE
(House Files 734 and 1156)

If I had not taken ill before the noon hour which caused me to be absent, then I would have voted "aye" on House File 734 and "nay" on House File 1156.

ANANIA of Polk

EXPLANATION OF VOTE
(House File 734)

I voted "no" on House File 734 because of the dictates of the Federal Government to take away state rights from individual states. This is always with a threat to take away a certain percent of funds granted by the Federal Government to the road programs.

In conclusion, several states are not taking part in the removal of billboards in any form. We in the Sixty-first General Assembly voted to remove the billboards from the interstate system within the six hundred sixty foot limit as the Federal Government requested.

Once again, the "little guy" is being squeezed out. In good conscience, I could not vote for this bill.

DOUGHERTY of Monroe

HOUSE CONCURRENT RESOLUTION 122

By Welden, Taylor, Blouin, Franklin, Egenes, Gluba, Wells, Andersen, Wyckoff, Willits, Larson, Nystrom, Logemann, Schwieger, Edelen, Strothman, Norpel, Cochran, Husak and Trowbridge

Whereas, the Sixty-fourth General Assembly, First Session, appropriated funds to the state highway commission in chapter thirty-one (31), Acts of the Sixty-fourth General Assembly, First Session, for the payment of salaries and for providing other economic benefits for employees of the state highway commission; and

Whereas, it was intended by the general assembly that benefits be provided for each employee of the state highway commission at a cost of fifteen dollars per month; and

Whereas, the state highway commission is presently contributing twelve dollars per month for hospitalization and medical insurance for each of its employees; and

Whereas, the executive council has determined that an expenditure for disability income protection must be authorized by the general assembly.
Now Therefore,

Be It Resolved by the House of Representatives, the Senate Concurring, That the general assembly recommends that the executive council approve the expenditure of three dollars per month for the purchase of disability

income protection and life insurance protection for each employee of the state highway commission.

Laid over under Rule 25.

REPORT OF COMMITTEE

Den Herder of Sioux, from the committee on ways and means, submitted the following report:

MR. SPEAKER: Your committee on ways and means, to whom was referred Senate File 1101, a bill for an act relating to the taxation of real estate transfers and the penalty for failure to comply, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same do pass.

DEN HERDER of Sioux, Chairman

AMENDMENTS FILED

1 Amend Senate File 470, as passed by the Senate, by
2 striking everthing after the enacting clause and
3 inserting in lieu thereof the following:

4 Section 1. Chapter five hundred nine A (509A),
5 Code 1971, is amended by adding the following new
6 section:

7 "At the request of an employee the governing body
8 shall by contractual agreement acquire an individual
9 or group life insurance contract, annuity contract,
10 security or any other deferred payment contract for
11 the purpose of funding a deferred compensation
12 program for an employee, from any company the employee
13 may choose that is authorized to do business in this
14 state and from any life underwriter duly licensed by
15 this state or from any securities dealer or salesman
16 registered in this state to contract business in this
17 state. The deferred compensation program may be
18 administered so that the state comptroller or his
19 designees may remit one sum for the entire program
20 according to a single billing. The governor, with the
21 approval of the executive council, may designate a
22 governmental agency for providing the consolidated
23 billing and other administrative services.

24 "The provisions of this Act shall be in addition to
25 any benefit program provided by law for any employees
26 of the state or any of its political sub-divisions."

FISHER of Greene
SCHMEISER of Des Moines
SCHROEDER of Pottawattamie

1 Amend Senate File 566, as amended and passed by
2 the Senate, by adding thereto the following section:

3 Sec. Section ninety-five point four (95.4),
4 Code 1971, is hereby amended by striking the section
5 and inserting in lieu thereof the following:

6 "The annual license fee shall be one percent of
7 all fees, charges, commissions or other compensation
8 actually received during the life of the license or

9 renewal by an employment agency for service, as such,
10 but in no event shall such fee be less than fifty
11 dollars (\$50.00) nor more than five hundred dollars
12 (\$500.00).

13 The minimum fee shall be paid before a license
14 or renewal thereof is issued. Each employment agen-
15 cy to whom a license has been issued under this chap-
16 ter shall file with the bureau of labor within ten
17 days after the previous license has expired, a veri-
18 fied statement showing the actual fees, charges, com-
19 mission or other compensation received by the agency
20 for services, as such, during the preceding year and
21 with such statement shall pay the balance of such
22 license fee due. Such fees shall be collected by
23 the bureau of labor and remitted to the treasurer of
24 state, and such fees shall be credited to the bureau
25 of labor for purposes of administration."

KREAMER of Polk

1 Amend Senate File 1091, as amended and passed by
2 the Senate, by adding at the end of section 4, after
3 the word "students" the following: "*attending*
4 *classes four hours or more a day*".

TAYLOR of Dubuque

RADL of Linn

ELLSWORTH of Dubuque

1 Amend Senate File 1148 by adding the following new section:
2 "Sec. Section one hundred five A point five (105A.5), sub-
3 sections five (5) and seven (7), Code 1971, are amended to read as
4 follows:

5 5. To issue such publications and reports of investigations
6 and research as in the judgment of the commission shall tend to
7 promote good will among the various racial, religious, and eth-
8 nic groups of the state and which shall tend to minimize or elim-
9 inate discrimination in public accommodations, employment,
10 apprenticeship and on-the-job training programs, vocational
11 schools, or housing because of race, creed, color, sex, national
12 origin, religion, [or] ancestry, *or disability*.

13 7. To make recommendations to the general assembly for
14 such further legislation concerning discrimination because of
15 race, creed, color, sex, national origin, religion, [or] ancestry
16 , *or disability* as it may deem necessary and desirable."

COCHRAN of Webster

1 Amend the committee on county government amendment
2 to House File 725 as found on pages 822 through 826
3 of the House Journal of February 28, 1972, as follows:

4 1. By striking the word "shall" in line 4 and
5 inserting in lieu thereof the word "may".

6 2. By inserting the words "at the general election"
7 after the word "large" in line 15.

8 3. By striking the word "The" from line 25 and in-
9 serting in lieu thereof the words "In counties which
10 have established appointive county zoning commissions
11 prior to July 1, 1973 the".

- 12 4. By striking lines 61 through 67, inclusive.
 13 5. By renumbering the subsequent sections.

REX of Hamilton

1 Amend the committee on county government amendment
 2 to House File 725 as found on pages 822 through 826
 3 of the House Journal of February 28, 1972 by adding
 4 the following new section after line 235:

5 "Sec. 18. The regulations and restrictions
 6 adopted under section three hundred fifty-eight A
 7 point three (358A.3) shall not be effective if
 8 rejected at a referendum under this section.

9 If at least twenty-five percent of the residents
 10 who are qualified electors of the last general
 11 election file a petition objecting to the regulations
 12 and restrictions or any part thereof the board of
 13 supervisors shall hold a referendum at the next
 14 general election. A petition for a referendum must
 15 be filed at least ninety days prior to the general
 16 election and must state in detail the regulations or
 17 restrictions or parts thereof objected to, and the
 18 ballot submitted to the electors shall restate such
 19 provisions of the petition in order to adequately
 20 inform the electors of the question before them. The
 21 regulations and restrictions shall remain in effect
 22 unless rejected by a majority of the electors voting
 23 at the referendum."

TAYLOR of Dubuque
 LOGEMANN of Worth

1 Amend the Senate amendment to House File 1037 by
 2 inserting after line 8 the following paragraph:
 3 "Provided, however, that unless an exception shall
 4 be granted by the proper federal authority, no part
 5 of said salary which exceeds the maximum allowable
 6 from time to time by the federal wage-price admini-
 7 stration or its designees, shall be deemed earned or
 8 paid."

KREAMER of Polk

1 Amend House File 1242 as follows:

2 1. Page 1, line 1, by striking the word "salaries" and in-
 3 serting in lieu thereof the words "compensation and expenses".

4 2. Page 2, line 2, by striking the word "salaries" and in-
 5 serting in lieu thereof the words "compensation and expenses".

6 3. Page 2, line 29, by inserting before the word "received"
 7 the words "and expenses".

8 4. Page 2, lines 31 and 32, by striking the word "salaries"
 9 wherever it appears and inserting in lieu thereof the words
 10 "compensation and expenses".

11 5. Page 2, line 35, by striking the word "salary" and insert-
 12 ing in lieu thereof the words "compensation and expense".

13 6. Page 3, line 5, by inserting before the second word "for" the
 14 words "and expenses".

15 7. Page 3, line 7, by striking the word "salaries" and insert-
 16 ing in lieu thereof the words "compensation and expenses".

COCHRAN of Webster

1 Amend House File 1251, page 5, by adding after
2 line 11 the following new section:
3 "Sec. 6. This Act shall be in full force and
4 effect on and after January 1, 1973."

REX of Hamilton

1 Amend House File 1251 as follows:
2 1. Page 3, by striking lines 6 through 15, inclu-
3 sive, and inserting in lieu thereof the following:
4 d. Purchases of equipment repair parts and labor for
5 equipment repairs shall be exempted from provisions of
6 this Act.
7 e. When, in the opinion of the purchasing agency,
8 used materials, equipment or goods will be more econom-
9 ical than purchasing similar new items, the provisions
10 of this Act shall not apply."
11 2. Page 4, line 13, by striking the word "The" and
12 inserting in lieu thereof the words "In purchases for
13 state use the".
14 3. Page 4, line 18, by inserting after the word
15 "regulations" the words "covering state purchases".
16 4. Page 4, by inserting after line 20 the following
17 new subsections:
18 4. "The local purchasing agency may exempt pur-
19 chases from provisions of this Act when it determines
20 that the best interests of the public can be served,
21 due to an immediate or emergency need, or when there is
22 only one available source for the product desired."
23 5. "Prospective bidders may be denied specifications
24 and bid blanks when the purchasing agency determines
25 prior to letting that the qualifications offered do
26 not meet the requirements for a competent bid as pre-
27 scribed in subsection three (3) of this section."

REX of Hamilton
TIEDEN of Clayton
SCOTT of Cerro Gordo
McCORMICK of Delaware

1 Amend House File 1270 as follows:
2 1. Page 2, insert before line 1 the following new
3 section:
4 Section 1. Section one hundred sixty-three A point
5 three (163A.3), unnumbered paragraph two (2), Code
6 1971, is amended to read as follows:
7 If an animal is added to a validated brucellosis-
8 free herd, it must be a negative animal that either
9 comes from another validated brucellosis-free herd or
10 has been negative to *at least one brucellosis test, or*
11 *if required by rules of the department, to two*
12 *brucellosis tests conducted not less than thirty days*
13 *nor more than sixty days apart, the last test being*
14 *within thirty days prior to the introduction of the*
15 *animal into the herd.*

- 16 2. Renumber the remaining sections to conform
17 with this amendment.

COMMITTEE ON AGRICULTURE
CHARLES F. STROTHMAN, Chairman

- 1 Amend House File 1276 as follows:
2 1. Page 12, by adding after line 28 the following:
3 "j. No person holding a class "C" beer permit,
4 nor his agents or employees, shall sell or dispense
5 wine for consumption off the premises at any time
6 during which the state liquor store located nearest
7 the person holding the permit, is closed in compliance
8 with rules prescribed by the director pursuant to
9 section twenty-one (21), subsection eight (8) of this
10 chapter."

RODGERS of Dallas
DRAKE of Muscatine
NIELSEN of Shelby

- 1 Amend House File 1276 as follows:
2 1. Page 3, lines 20 and 21 by striking the words
3 "barter, exchange,".
4 2. Page 7, line 8 by inserting after the word
5 "corporation," the word "to common carrier
6 interurban buses,".
7 3. Page 7, line 13 by inserting after the word
8 "herein," the words "interurban buses,".
9 4. Page 7, line 16 by inserting after the word
10 "trains," the words "interurban buses,".
11 5. Page 8, line 21 by striking all after the
12 word "chapter" and by striking all of lines
13 22 through 26.

CAMPBELL of Washington

- 1 Amend House File 1277, line 11 by striking the
2 word "completed" and inserting in lieu thereof
3 the word "commenced".

STANLEY of Linn
WELLS of Linn

On motion by Varley of Adair, the House adjourned until
9:00 a.m., Thursday, March 2, 1972.

JOURNAL OF THE HOUSE

Fifty-third Calendar Day—Thirty-ninth Session Day

HALL OF THE HOUSE OF REPRESENTATIVES
DES MOINES, IOWA, THURSDAY, MARCH 2, 1972

The House met pursuant to adjournment, Speaker Harbor in the chair.

Prayer was offered by the Reverend G. F. Hemesath, pastor of the Saint Patrick's Church, Tama, Iowa.

The Journal of Wednesday, March 1, 1972, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Wayne Rouse, Boone, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

McCormick of Delaware on request of Stromer of Hancock.

PRESENTATION OF VISITORS

Fischer of Grundy presented to the House the Honorable W. L. Mooty, former member of the House during the Fifty-fourth, Fifty-fifth, Fifty-sixth and Fifty-seventh General Assemblies, serving as Speaker of the House during the Fifty-seventh General Assembly and Lieutenant Governor from 1959 through 1962.

Rodgers of Dallas presented to the House Mrs. Myra Spencer of Earlham, Iowa, mother of Larry Spencer who is a prisoner of war in southeast Asia.

The Speaker announced that the following visitors were present in the House chamber:

One hundred five students from Hempstead High School, Dubuque, Iowa, accompanied by Mr. Ruden, Mrs. Brown and Mrs. Woolf. By Ellsworth of Dubuque and Blouin of Dubuque.

Thirty-two senior government class students from Newell Providence High School, Newell, Iowa, accompanied by Mr. Campbell and Mr. Katt. By Freeman of Buena Vista.

Sixty Tri-County seniors from Thornburg, Iowa, accompanied by Paul Bullock and Jim Freeze. By Dunton of Keokuk.

Sixteen TARS from Oelwein, Iowa, including Garsten Moeller of Denmark, accompanied by Merle McFarlane and Mrs. Robert Jazzard. By Menefee of Fayette.

Twenty-five senior students from Parkersburg School, Parkersburg, Iowa, accompanied by Tom Engelhart, principal, and Rollie Hock, teacher. By Grassley of Butler.

Seventy-six students from Marquette High School, Bellevue, Iowa, accompanied by Sister Mary Vincent and Jim O'Niell. By Norpel of Jackson.

Thirty-five junior high students from Rockwell-Swaledale School, Rockwell, Iowa, accompanied by Mr. Frederickson and Mr. Faradi. By Scott of Cerro Gordo.

Forty students from St. Bernard High School, Breda, Iowa, including an Exchange Student from Autofagasta, Chile, Hector Fuentes, accompanied by Dennis Hornick. By Knoblauch of Carroll.

Twenty-eight senior government class students from Norway High School, Norway, Iowa, accompanied by Dennis Elliott. By Wyckoff of Benton.

Thirty-six government class students from the Whiting Community School, Whiting, Iowa, accompanied by Mrs. Robert Clayton, daughter of Representative and Mrs. Jewell O. Waugh, and including a student from Rio de Janeiro, Maria Lu Frossard. By Waugh of Monona.

BIRTHDAY CONGRATULATIONS

Waugh of Monona rose on a point of personal privilege and on behalf of the House extended to the Honorable Dennis L. Freeman a "Happy Birthday."

Husak of Tama rose on a point of personal privilege and on behalf of the House extended to the Honorable Russell L. Wyckoff a "Happy Birthday."

PETITIONS FILED

The following petitions were received and placed on file:

By Logemann of Worth from ninety-eight residents of nineteen counties opposing legislation which would make it mandatory

to wear helmets or a particular kind of clothing while driving or riding any kind of motorcycle.

By McElroy of Fremont from fifty-one residents of Fremont County opposing House File 1197, relating to property tax exemptions.

ADOPTION OF COMMITTEE REPORT

The Chief Clerk announced the adoption of report of committee on Senate File 1101, under Rule 35.

INTRODUCTION OF BILLS

House File 1284, by committee on county government, a bill for an act relating to an increase in certain county fees.

Read first time and referred to the sifting committee.

House File 1285, by committee on agriculture, a bill for an act to provide an excise tax on the sale of eggs and providing a penalty for violations.

Read first time and referred to the sifting committee.

House File 1286, by committee on ways and means, a bill for an act relating to the sale of real property owned by a school district.

Read first time and placed on the ways and means calendar.

House File 1287, by committee on judiciary, a bill for an act relating to state reciprocity in the enforcement of support decrees; providing for the enforcement in Iowa of support decrees granted in other states and the enforcement in other states of those granted in Iowa; providing for the registration in Iowa of support orders granted in other states; and providing for the administrative procedures necessary thereto.

Read first time and referred to the sifting committee.

House File 1288, by committee on ways and means, a bill for an act providing for the full disclosure of the sales price in real estate transfers and providing penalties for violations of this Act.

Read first time and placed on the ways and means calendar.

MOTION TO RECONSIDER LOST

(House File 1156)

Stanley of Linn called up for consideration the motion to reconsider **House File 1156**, a bill for an act creating an Iowa

world exposition authority and specifying its purposes, powers and responsibilities, which passed the House on March 1, 1972.

A non-record roll call was requested.

The ayes were 10, nays 66.

The motion lost.

CONSIDERATION OF BILLS
WAYS AND MEANS CALENDAR

House File 1257, a bill for an act relating to urban renewal projects and bonds, was taken up for consideration.

Lawson of Cerro Gordo moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1257)

The ayes were, 75:

Alt	Ewell	Lawson	Schroeder
Anania	Fisher, C. R.	Lipsky	Schwieger
Andersen	Freeman	Mayberry	Shaw
Bennett	Gluba	McElroy	Siglin
Bergman	Grassley	Mendenhall	Skinner
Blouin	Hamilton	Middleswart	Sorg
Bray	Hansen	Miller	Stanley
Camp	Holden	Moffitt	Strand
Christensen	Husak	Mollett	Stromer
Clark	Jesse	Monroe	Tieden
Cochran	Kehe	Nielsen	Trowbridge
Curtis	Kelly	Nystrom	Uban
Den Herder	Kennedy	Pellett	Varley
Dougherty	Kinley	Pierson	Waugh
Doyle	Knoblauch	Rex	Wells
Drake	Knoke	Rodgers	Willits
Dunton	Kreamer	Roorda	Winkelman
Egenes	Kruse	Sargisson	Mr. Speaker
Ellsworth	Larson	Schmeiser	

The nays were, 15:

Campbell	Menefee	Radl	Taylor
Fischer, H. O.	Millen	Scott	Welden
Hill	Norpel	Small	Wyckoff
Johnston	Priebe	Strothman	

Absent or not voting, 10:

Edelen	Logemann	Pelton	Stokes
Franklin	McCormick	Schwartz	Wirtz
Goode	Patton		

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

MOTION TO RECONSIDER
(House File 1257)

I move to reconsider the vote by which House File 1257 passed the House on March 2, 1972.

BLOUIN of Dubuque

UNFINISHED BUSINESS
(Senate File 185 Pending)

The House resumed consideration of Senate File 185, a bill for an act to combine the present county fund for health with the state institution fund, redesignating the latter as the county mental health and institutions fund, prescribing the purposes for which such fund may be used and authorizing a levy therefor.

Schroeder of Pottawattamie called up for consideration his motion to reconsider filed on February 29, 1972, and moved to reconsider the vote by which the Rex amendment was adopted on February 29, 1972.

A non-record roll call was requested.

The ayes were 54, nays 33.

The motion prevailed.

Speaker pro tempore Millen in the chair at 10:50 a.m.

Rex of Hamilton reoffered the Rex amendment as amended on February 29, 1972, and found on page 835 of the House Journal and moved its adoption.

A non-record roll call was requested.

The ayes were 39, nays 51.

The amendment as amended lost.

Bray of Scott called up for consideration his motion to reconsider the vote by which the Priebe amendment was adopted on February 29, 1972.

A non-record roll call was requested.

The ayes were 68, nays 9.

The motion prevailed.

Bray of Scott moved that the following Bray amendment be substituted for the Priebe amendment:

Amend Senate File 185, as amended and passed by the Senate, page 3, by inserting after line 11 the following new paragraph:

"The board of supervisors may require any public or private facility as a condition of payment from county funds to furnish the board with a statement of the income, assets, and township or municipality and the county of legal residence of each person receiving services under this section, provided however, the facility shall not disclose to anyone without the permission of the person receiving the services such person's name or street or route address."

The motion prevailed.

Bray of Scott offered from the floor the following amendment to his amendment and moved its adoption:

Amend the Bray amendment to Senate File 185, filed February 29, 1972, by striking from lines 11 and 12 the words "the services" and inserting in lieu thereof "services for which commitment is not required".

The amendment to the amendment was adopted.

Bray of Scott moved the adoption of his amendment as amended.

The amendment as amended was adopted.

(Senate File 185 deferred and pending.)

CONSIDERATION OF BILLS

WAYS AND MEANS CALENDAR

House File 1276, a bill for an act relating to the private sale, control and distribution of wine containing not more than seventeen percent alcohol by weight, declaring certain acts to be unlawful and prescribing penalties therefor, was taken up for consideration.

(House File 1276 pending at recess.)

The House was recessed until 1:30 p.m.

AFTERNOON SESSION

The House reconvened, Speaker pro tempore Millen in the chair.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has concurred in House amendment to and passed the following bill

in which the concurrence of the Senate was asked:

Senate File 590, a bill for an act relating to a renal disease program.

Also: That the Senate has adopted the following concurrent resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 114, providing for the executive council to fly all flags on state buildings at half mast upon the anniversary of the capture or disappearance of Iowans missing in action in southeast Asia.

CARROLL A. LANE, Secretary

ADOPTION OF SENATE CONCURRENT RESOLUTION 114

Ellsworth of Dubuque asked and received unanimous consent to take up for immediate consideration **Senate Concurrent Resolution 114**, as follows, and moved its adoption:

SENATE CONCURRENT RESOLUTION 114

By Walsh, Schaben, Lamborn, Coleman, Miller,
Robinson, Potgeter, Kennedy, Riley, Mowry,
Nicholson, Rabedeaux and Griffin

Whereas, the plight of families of Americans captured or missing in the war in southeast Asia is recognized by governmental agencies and private and public organizations; and

Whereas, the communication among families of captured and missing Americans facilitates the development of activities supporting the morale of these families and the dissemination of information regarding the possible release of prisoners of war, *Now, Therefore*,

Be It Resolved by the Senate, the House of Representatives Concurring, That, the executive council shall order all flags at state buildings to be flown at half mast upon the anniversary of the capture or disappearance of Iowans missing in action in southeast Asia.

Be It Further Resolved, That the secretary of the executive council shall cause to be published, three days prior to the anniversary of the capture or disappearance of Americans missing in action, a newspaper article notifying readers in the area of residence of the American's family of the day to be honored. The following names and dates of capture or disappearance shall be submitted to the executive council for publication:

Name	Date of Capture or Disappearance
Dennis Eilers	December 24, 1965
Russell Martin	June 3, 1966
Dyke Spilman	September 27, 1966
Delbert Peterson	March 9, 1966
Larry Spencer	February 18, 1966
Steven Adams	October 18, 1966
Charles Boyd	April 22, 1966

Gary Anderson	May 19, 1967
Robert Naughton	May 18, 1967
James L. Hughes	May 5, 1967
Alan Piittmann	November 16, 1966
Dennis Hamilton	January 5, 1968
Michael Kjome	February 2, 1968
Ariel Cross	July 17, 1968
Bard Cuthbert	November 23, 1968
Charles Douglas King	December 25, 1968
James Herrick, Jr.	October 27, 1969
John Anderson	November 4, 1969
Laurent L. Gourley	August 9, 1969
Richard Ayers	April 16, 1970
Gary Scull	March 12, 1970
Carl Palen	January 3, 1971
Dwight E. Sullivan	October 17, 1967
Robert C. O'Hara	February 6, 1969
Robert Saavedra	April 28, 1968
Gray D. Warren	October 26, 1969
Harold E. Johnson	April 30, 1967
Harold D. Monlux	November 11, 1966
Donald E. Paxton	February 22, 1969
Edison W. Miller	October 13, 1967

Motion prevailed and the resolution was adopted.

HOUSE CONCURRENT RESOLUTION 118 DEFERRED

Small of Johnson called up for consideration **House Concurrent Resolution 118** filed on February 24, 1972, and found on page 701 of the House Journal.

(House Concurrent Resolution 118 deferred.)

CONSIDERATION OF BILL

BUSINESS PENDING

The House resumed consideration of **House File 1276**, a bill for an act relating to the private sale, control and distribution of wine containing not more than seventeen percent alcohol by weight, declaring certain acts to be unlawful and prescribing penalties therefor.

Speaker Harbor in the chair at 2:00 p.m.

Campbell of Washington offered the following amendment filed by him:

Amend House File 1276 as follows:

1. Page 3, lines 20 and 21 by striking the words "barter, exchange,".
2. Page 7, line 8 by inserting after the word

"corporation," the word "to common carrier interurban buses,".

3. Page 7, line 13 by inserting after the word "herein," the words "interurban buses,".

4. Page 7, line 16 by inserting after the word "trains," the words "interurban buses,".

5. Page 8, line 21 by striking all after the word "*chapter*" and by striking all of lines 22 through 26.

Division of the amendment was requested.

Campbell of Washington moved the adoption of amendment 1, lines 1 through 3 of his amendment.

A non-record roll call was requested.

The ayes were 41, nays 31.

Amendment 1 of the amendment was adopted.

Kelly of Woodbury rose on a point of order that amendments 2, 3 and 4 of the Campbell amendment were not germane.

The Speaker ruled the point well taken.

Campbell of Washington moved the adoption of amendment 5, lines 11 through 13 of his amendment.

A non-record roll call was requested.

The ayes were 23, nays 56.

Amendment 5 of the amendment lost.

Uban of Black Hawk offered the following amendment from the floor and moved its adoption:

Amend House File 1276, page 9 by striking from lines 30 and 31 the words "extend any credit for alcoholic beverages, *wine* or beer or".

A non-record roll call was requested.

The ayes were 30, nays 46.

The amendment lost.

Rodgers of Dallas offered the following amendment filed by Rodgers, et al.:

Amend House File 1276 as follows:

1. Page 12, by adding after line 28 the following:

"j. No person holding a class "C" beer permit, nor his agents or employees, shall sell or dispense wine for consumption off the premises at any time during which the state liquor store located nearest

the person holding the permit, is closed in compliance with rules prescribed by the director pursuant to section twenty-one (21), subsection eight (8) of this chapter."

Norpel of Jackson offered from the floor the following amendment to the amendment and moved its adoption:

Amend the Rodgers, Drake, Nielsen amendment filed March 1, 1972, by striking all of lines 6 through 10 and inserting in lieu thereof the following: *except from the hours of 11 A.M. to 8 P.M., Monday through Saturday.*

The amendment to the amendment lost.

Pierson of Mahaska moved that the Rodgers, et al., amendment be tabled.

The Speaker ruled the motion out of order.

Rodgers of Dallas moved the adoption of the Rodgers, et al., amendment.

Roll call was requested by Rodgers of Dallas and Kruse of O'Brien.

On the question "Shall the amendment be adopted?"

The ayes were, 28:

Bergman	Grassley	Moffitt	Sargisson
Campbell	Hansen	Nielsen	Scott
Den Herder	Kreamer	Pellett	Siglin
Doyle	Kruse	Pierson	Strothman
Drake	Mendenhall	Rex	Uban
Dunton	Middleswart	Rodgers	Winkelman
Egenes	Miller	Roorda	Wyckoff

The nays were, 52:

Alt	Freeman	Larson	Schmeiser
Anania	Gluba	Lawson	Schwartz
Andersen	Hamilton	Lipsky	Schwieger
Blouin	Hill	Logemann	Skinner
Bray	Husak	Mayberry	Small
Camp	Jesse	McElroy	Sorg
Christensen	Johnston	Menefee	Stanley
Clark	Kehe	Millen	Tieden
Cochran	Kelly	Mollett	Trowbridge
Curtis	Kennedy	Monroe	Wells
Dougherty	Kinley	Norpel	Willits
Edelen	Knoblauch	Pelton	Wirtz
Ellsworth	Knoke	Priebe	Mr. Speaker

Absent or not voting, 20:

Bennett	Goode	Radl	Stromer
Ewell	Holden	Schroeder	Taylor
Fischer, H. O.	McCormick	Shaw	Varley
Fisher, C. R.	Nystrom	Stokes	Waugh
Franklin	Patton	Strand	Welden

The amendment lost.

Norpel of Jackson offered from the floor, the following amendment:

Amend House File 1276, page 13, by striking all of lines 3 through 11.

Kelly of Woodbury rose on a point of order that the amendment was not germane.

The Speaker ruled the point not well taken.

Norpel of Jackson moved the adoption of his amendment.

A non-record roll call was requested.

The ayes were 35, nays 41.

The amendment lost.

Varley of Adair moved the previous question on House File 1276 and all amendments and motions filed thereto.

A non-record roll call was requested.

The ayes were 51, nays 34.

The motion prevailed.

Pelton of Clinton asked and received unanimous consent that the previous question on House File 1276 not apply to Den Herder of Sioux.

(House File 1276 deferred.)

REPORT OF SIFTING COMMITTEE

MR. SPEAKER: Your sifting committee begs leave to report that it had the following bills under consideration and recommends that they be placed on the sifting committee calendar:

- S. F. 1069 Relating to terms of office of county superintendent of schools. By committee on schools.
- H. F. 1269 COMMITTEE BILL—Amending the state school foundation program in chapter 165, Acts of the Sixty-fourth General Assembly, First Regular Session. By committee on schools.
- H. F. 1272 COMMITTEE BILL—Relating to bonded warehouses. By committee on commerce.
- H. F. 1273 COMMITTEE BILL—Relating to regulation of advertising and selling courses of instruction. By committee on commerce.

VARLEY of Adair, Chairman

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Miller of Marshall, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate Files 392 and 471.

ELIZABETH R. MILLER
Chairman, House Committee
JOHN C. RHODES
Chairman, Senate Committee

Report adopted.

BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House the following bills: Senate Files 392 and 471.

AMENDMENTS FILED

- 1 Amend the Stromer amendment to Senate File 185,
- 2 filed March 2, 1972, as follows:
- 3 1. By striking all of line 7.
- 4 2. Line 8, by striking the words "forty
- 5 thousand in population and".

SHAW of Scott

- 1 Amend Senate File 185, as amended and passed by
- 2 the Senate, page 6, line 24, by inserting after the
- 3 period the following:
- 4 "However, the county board of supervisors shall
- 5 not expend from such fund for treatment other than
- 6 in a state institution an amount which would exceed
- 7 twelve dollars per capita for counties which exceed
- 8 forty thousand in population and eight dollars per
- 9 capita for counties having less than forty thousand
- 10 population."

STROMER of Hancock
PRIEBE of Kossuth
REX of Hamilton

- 1 Amend the Senate amendment to House File 6 filed
- 2 February 28, 1972, as follows:
- 3 1. By inserting the following after the period
- 4 in line 35:
- 5 "Amendments or revisions of the code shall be made
- 6 only once a year and shall take effect on the first
- 7 day of January following the public hearing. When-
- 8 ever the commissioner makes copies of the code or
- 9 rules available or is required to distribute copies
- 10 he shall provide the copies at cost."
- 11 2. By inserting the following after line 55:

12 6. Page 5, line 28, by inserting after the word
13 "state" the words "or in a governmental subdivision
14 not subject to the code".

15 7. Page 5, line 32, by inserting after the word
16 "code" the words "if the installation is to be in
17 a governmental subdivision subject to the code".

18 8. Page 5, line 35, by inserting after the word
19 "installation" the words "in a governmental subdivi-
20 sion subject to the code".

21 3. By striking lines 56 through 59 and inserting
22 the following:

23 10. Page 6, line 2, by inserting after the word
24 "code" the words "in the governmental subdivision
25 subject to the code".

26 11. Page 6, line 6, by inserting after the word
27 "commissioner" the words "or the installation is in
28 a governmental subdivision not subject to the code".

29 4. By inserting the following after line 66:

30 15. Page 6, by striking lines 31 through 35, in-
31 clusive.

32 16. Page 7, by striking lines 1 through 3, inclu-
33 sive, and inserting in lieu thereof the following:

34 b. Statewide and shall supersede and take the
35 place of the building code of any governmental
36 subdivision. The code shall supersede the code of
37 any governmental subdivision which has adopted a
38 building code as of the effective date of the state
39 building code and any governmental subdivision which
40 chooses to adopt a building code after the effective
41 date of the state building code must adopt the state
42 building code. The state building code shall not
43 apply to any governmental subdivision which has no
44 building code or has, prior to the effective date
45 of the state building code, repealed its building
46 code. Where the state building code becomes effective
47 in a governmental subdivision under this section it
48 shall be considered to have been adopted by the
49 governmental subdivision and shall not be repealed."

50 5. By striking lines 67 through 70, inclusive,
51 and inserting in lieu thereof the following:

52 17. Page 7, by striking lines 31 through 35, in-
53 clusive.

54 18. Page 8, by striking lines 1 through 27, in-
55 clusive.

56 6. By inserting the words "and advisory council"
57 before the period in line 91.

58 7. By inserting the words "with the approval of
59 the advisory council" after the word "commissioner"
60 in line 92.

61 8. By inserting the following after line 137:

62 39. Page 16, by striking lines 29 through 35,
63 inclusive.

64 40. Page 17, by striking line 1 and renumbering
65 the remaining subsections.

66 9. By inserting the following after line 137:

67 46. Page 17, lines 15 and 16, by striking every-

- 68 thing after the word "adopted" and inserting in lieu
 69 thereof a period.
 70 47. Page 17, lines 21 and 22, by striking every-
 71 thing after the word "adopted" and inserting in lieu
 72 thereof a period.
 73 48. Page 17, lines 27 and 28, by striking every-
 74 thing after the word "adopted" and inserting in lieu
 75 thereof a period.
 76 49. Page 17, lines 33 and 34, by striking every-
 77 thing after the word "adopted" and inserting in lieu
 78 thereof a period.
 79 50. Page 18, lines 4 and 5, by striking everything
 80 after the word "adopted" and inserting in lieu thereof
 81 a period.
 82 51. Page 18, lines 10 and 11, by striking every-
 83 thing after the word "adopted" and inserting in lieu
 84 thereof a period.
 85 52. Page 18, lines 16 and 17, by striking every-
 86 thing after the word "adopted" and inserting in lieu
 87 thereof a period.
 88 53. Page 19, lines 12 and 13, by striking every-
 89 thing after the word "adopted" and inserting in lieu
 90 thereof a period.
 91 54. Page 19, lines 18 and 19, by striking every-
 92 thing after the word "adopted" and inserting in lieu
 93 thereof a period.
 94 55. Page 19, lines 24 and 25, by striking every-
 95 thing after the word "adopted" and inserting in lieu
 96 thereof a period.
 97 10. By renumbering the amendments to conform to
 98 this amendment.

SCHROEDER of Pottawattamie

- 1 Amend the Senate amendment to House File 30
 2 by striking lines 12 through 16.

FISCHER of Grundy
 ELLSWORTH of Dubuque
 FREEMAN of Buena Vista
 KEHE of Bremer
 WELDEN of Hardin

- 1 Amend House File 1068 as follows:
 2 1. Page 2, by inserting after line 13 the
 3 following new subsection:
 4 4. "Division of systems planning" means the
 5 planning division for all modes of transportation
 6 except the five-year adopted plans as of July 1, 1972,
 7 for highway projects approved by the commission, and
 8 the actual design and construction of the highway shall
 9 remain with the division of highways.
 10 2. Page 6, line 8, by inserting after the word
 11 "of" the word "systems".
 12 3. Page 6, line 11, by inserting after the word
 13 "urban" the words "and regional".
 14 4. Page 6, by striking all of line 12.

- 15 5. Page 6, line 16, by striking the following:
 16 "five (5), and six (6)" and inserting in lieu thereof
 17 the following: "and five (5)".
 18 6. Page 6, line 17, by inserting after the
 19 period the following: "Any additional divisions of
 20 the department shall be incorporated into the
 21 department by action of the legislature."

DRAKE of Muscatine
 SCHROEDER of Pottawattamie
 UBAN of Black Hawk
 LAWSON of Cerro Gordo

- 1 Amend House File 1265, Section 3, by adding
 2 the following new subsection:
 3 "6. In those counties operating under plan two or plan
 4 three of section three hundred thirty-one point eight
 5 (331.8) of the Code, the board of supervisors shall
 6 issue an order establishing new board of supervisor
 7 districts prior to June 1, 1972."

COCHRAN of Webster

- 1 Amend House File 1267 as follows:
 2 1. Page 2, line 3, by inserting after the word
 3 "workers" the following: "and those members retired
 4 under the provisions of chapter four hundred eleven
 5 (411) of the Code".
 6 2. Page 2, by striking lines 26, 27, and 28 and
 7 inserting in lieu thereof the following: "be
 8 determined by using the age of the member when he
 9 originally joined the staff of the division of fire
 10 protection of the department of public safety."
 11 3. Page 2, by inserting after line 34 the
 12 following:
 13 "4. Contributions to be made by the members of the
 14 division of fire protection for the period of employ-
 15 ment with the fire marshal's office prior to the
 16 effective date of this Act shall be paid by the
 17 members to the retirement system by July 1, 1973."

FISCHER of Grundy

- 1 Amend House File 1276, page 13, by striking from
 2 line 5 the words "amended to read as fol-" and all
 3 of lines 6 through 11 inclusive, and inserting in
 4 lieu thereof the word "repealed."

JESSE of Polk

- 1 Amend House File 1276, page 19, line 35, by strik-
 2 ing the word "twenty-two" and inserting in lieu there-
 3 of the word "ten".

KREAMER of Polk

- 1 Amend House File 1276, page 21, sub-section 2
 2 by placing a period after the word "business", and
 3 striking the word "and" at the end of line 27 and

- 4 further striking the remainder of sub-section 2,
5 lines 28, 29, 30, 31 and 32.

KENNEDY of Chickasaw
LARSON of Story
JESSE of Polk

- 1 Amend House File 1276 as follows:
2 1. Page 19, by striking in line 33 the words
3 "*Cost, for*" and by striking all of lines 34 and 35.
4 2. Page 20, by striking all of lines 1, 2 and 3.

KREAMER of Polk

- 1 Amend House File 1276 as follows:
2 1. Page 19, by striking all after the period in
3 line 31, and all of lines 32, 33, 34 and 35.
4 2. Page 20, by striking all of lines 1 through
5 11.

UBAN of Black Hawk

- 1 Amend House File 1276, page 22, by inserting after
2 the period in line 28 the following:
3 "*Neither shall any holder of a certificate of*
4 *compliance extend any credit to Class "A" permittees."*

UBAN of Black Hawk

- 1 Amend House File 1276, page 19, line 33, by
2 inserting after the word "*cent*" the following: "*except*
3 *that when a certain brand of wine is not selling and*
4 *the retail permittee feels a need to 'close out his*
5 *stock', the minimum mark up shall not apply."*

TROWBRIDGE of Floyd

On motion by Varley of Adair, the House adjourned until 9:00
a.m., Friday, March 3, 1972.

JOURNAL OF THE HOUSE

Fifty-fourth Calendar Day—Forty-second Session Day

HALL OF THE HOUSE OF REPRESENTATIVES
DES MOINES, IOWA, FRIDAY, MARCH 3, 1972

The House met pursuant to adjournment, Speaker pro tempore Millen in the chair.

Prayer was offered by Father Louis J. Mulligan, pastor of Saint Joseph's Church, What Cheer, Iowa.

The Journal of Thursday, March 2, 1972, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Perry Wiegel, Van Meter, Iowa.

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Two court reporter students from A.I.B., Miss Delayne Busing, Hamilton County; and Jackie Engeman, Webster County. By Rex of Hamilton and Cochran of Webster.

Thirty-nine Girl Scouts from Fort Dodge, accompanied by Mrs. Fletchall. By Mayberry of Webster.

Fifty junior high students from Burt Community School, Burt, Iowa, accompanied by Charlene Brace, Paule Hasse, Mrs. Sill and Mrs. Habeger.

Twenty-nine students from Carson-Macedonia School, Carson, Iowa, accompanied by Darwyn Mueller and Jack Appleman. By Schroeder of Pottawattamie.

Eighty senior government class students from Belmond Community High School, accompanied by Mr. Gray. By Stromer of Hancock.

Twenty sixth grade students from Grant School, Des Moines, Iowa, accompanied by Mr. Hyde. By Hill of Polk.

Nineteen Cadette Girl Scouts from Cedar Falls, accompanied by Mrs. Robert Short and Mrs. R. Stickfort. By Hansen of Black Hawk.

Ninety Girl Scouts from Cedar Rapids, accompanied by Mrs. Hartle. By Lipsky of Linn.

Thirty-five senior government class students from Pleasantville, accompanied by Marvin Cook. By Middleswart of Warren.

BIRTHDAY CONGRATULATIONS

Tieden of Clayton rose on a point of personal privilege and on behalf of the House extended to the Honorable John Camp a "Happy Birthday."

PETITIONS FILED

The following petitions were received and placed on file:

By Logemann of Worth from twenty-five residents of five counties opposing legislation making it mandatory to wear helmets or a particular kind of clothing while driving or riding any kind of motorcycle.

By Lipsky of Linn from thirteen residents of Linn County favoring House File 1196, relating to the conversion of Terrace Hill as a governor's mansion but favoring it as a historical landmark.

By the Polk County delegation, a resolution from the Polk County Board of Supervisors asking for a fifty percent increase in IPERS benefits and urging support.

COMMUNICATION FROM THE CHIEF CLERK

There is on file in the office of the Chief Clerk a copy of a Joint Resolution memorializing Congress for the purpose of amending the United States Constitution to permit voluntary prayer in public schools adopted by the State of Maine.

INTRODUCTION OF BILLS

House File 1289, by committee on county government, a bill for an act relating to community improvement districts, and providing powers to issue bonds and levy taxes, with penalties.

Read first time and referred to the sifting committee.

House File 1290, by committee on state government, a bill for an act relating to the department of general services and the executive council.

Read first time and referred to the sifting committee.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File 274, a bill for an act relating to age discrimination in employment.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File 1182, a bill for an act appropriating to the Iowa crime commission for the purpose of matching federal funds.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File 1188, a bill for an act appropriating for the publication of educational and scientific reports.

CARROLL A. LANE, Secretary

SENATE AMENDMENTS CONSIDERED

Kehe of Bremer called up for consideration **House File 671**, a bill for an act to provide for the disposal of abandoned motor vehicles, and for related purposes, amended by the Senate, and moved that the House concur in the following Senate amendment:

Amend House File 671 as follows:

1. By striking everything after the enacting clause and inserting in lieu thereof the following:

Section 1. Chapter three hundred twenty-one (321), Code 1971, is amended by adding sections two (2) through ten (10) of this Act.

Sec. 2. DEFINITIONS. As used in sections three (3) through ten (10) of this Act unless the context otherwise requires:

1. "Police authority" means the Iowa highway safety patrol or any law enforcement agency of a county, city, or town.

2. "Abandoned vehicle" means any of the following:

a. A motor vehicle that has been left unattended on public property for more than forty-eight hours and lacks current registration plates or two or more wheels or other structural parts which renders the vehicle totally inoperable, or

b. A motor vehicle that has remained illegally on public property for more than fifteen days, or

c. A motor vehicle that has been unlawfully parked on private property or has been placed on private property without the consent of the owner or person in control of the property for more than twenty-four hours, or

d. A motor vehicle that has been legally impounded by order of a police authority and has not been reclaimed for a period of thirty days.

3. "Demolisher" means any city or public agency organized for the disposal of solid waste, or any person whose business it is to convert a motor vehicle to junk, processed scrap or scrap metal, or otherwise to wreck, or dismantle vehicles.

Sec. 3. AUTHORITY TO TAKE POSSESSION OF ABANDONED MOTOR

VEHICLES. A police authority may, and on the request of any other authority having the duties of control of highways or traffic, shall take into custody any abandoned motor vehicle on public property and may take into custody any abandoned motor vehicle on private property. The police authority may employ its own personnel, equipment and facilities or hire other personnel, equipment and facilities for the purpose of removing, preserving, storing, or disposing abandoned motor vehicles.

Sec. 4. NOTIFICATION OF OWNER AND LIENHOLDERS.

1. A police authority which takes into custody an abandoned motor vehicle shall notify, within ten days, by certified mail, the last known registered owner of the motor vehicle and all lienholders of record, addressed to their last known address of record, that the abandoned motor vehicle has been taken into custody. Notice shall be deemed given when mailed. The notice shall describe the year, make, model, and serial number of the motor vehicle, set forth the location of the facility where it is being held, inform the owner and any lienholders of their right to reclaim the motor vehicle within fourteen days after the effective date of the notice upon payment of all towing, preservation, and storage charges resulting from placing the motor vehicle in custody. The notice shall also state that the failure of the owner or lienholders to exercise their right to reclaim the motor vehicle within the time provided shall be deemed a waiver by the owner and all lienholders of all right, title, claim and interest in the motor vehicle and that such failure to reclaim the motor vehicle is deemed consent to the sale of the motor vehicle at a public auction or disposal of the motor vehicle to a demolisher. If the owner and lienholders do not exercise their right to reclaim such motor vehicle within the fourteen-day reclaiming period, such owner and lienholders shall no longer have any right, title, claim, or interest in or to such motor vehicle. No court in any case in law or equity shall recognize any right, title, claim, or interest of any such owner and lienholders after the expiration of the fourteen-day reclaiming period.

2. If the identity of the last registered owner cannot be determined, or if the registration contains no address for the owner, or if it is impossible to determine with

reasonable certainty the identity and addresses of all lienholders, notice by one publication in one newspaper of general circulation in the area where the motor vehicle was abandoned shall be sufficient to meet all requirements of notice under this Act. The published notice may contain multiple listings of abandoned motor vehicles but shall be published within the same time requirements and contain the same information as prescribed for mailed notice in subsection one (1) of this section.

3. The owner or any lienholders may, by written request delivered to the police authority prior to the expiration of the fourteen-day reclaiming period, obtain an additional fourteen days within which the motor vehicle may be reclaimed.

Sec. 5. AUCTION OF ABANDONED MOTOR VEHICLES. If an abandoned motor vehicle has not been reclaimed as provided for in section four (4) of this Act, the police authority shall make a determination as to whether or not the motor vehicle shall be sold for use upon the highways. If it is to be sold as a motor vehicle for use upon the highways, it shall first be inspected as required by chapter one hundred eighty-three (183), Acts of the Sixty-fourth General Assembly, First Session, and have a valid certificate of inspection affixed. If the motor vehicle is not sold for use upon the highways, it shall only be sold to a dealer licensed under chapter three hundred twenty-two (322) of the Code or to a demolisher for junk, or demolished and sold as scrap or sold as provided in section thirteen (13) of this Act with a restricted certificate of title and not for use upon the highways. The police authority shall sell the motor vehicle at public auction. Notwithstanding any other provisions of this Act, any police authority, which has taken into possession any abandoned motor vehicle which lacks an engine or two or more wheels or other structural part which renders the vehicle totally inoperable may dispose of such motor vehicle to a demolisher for junk without the notification procedures enumerated in section four (4) of this Act and without public auction. The purchaser of the motor vehicle shall take title free and clear of all liens and claims of ownership, shall receive a sales receipt from the police authority, and shall be entitled to register the motor vehicle and receive a certificate of title, if sold for use upon the highways or a restricted certificate of title as the case may be; however, if the motor vehicle is sold or disposed of to a demolisher for junk, the sale receipt by itself shall be sufficient title only for purposes of transferring the motor vehicle to such demolisher for demolition, wrecking, or dismantling and, when so transferred, no further titling of the motor vehicle shall be permitted. From the proceeds of the sale of an abandoned motor vehicle the police authority shall reimburse itself for the expenses of the auction, the costs of towing, preserving, and storing which resulted from placing the abandoned motor vehicle in custody, all notice and publication costs incurred pursuant to section four (4) of this Act, the cost of inspection, and any other costs incurred except costs of bookkeeping and

other administrative costs. Any remainder from the proceeds of a sale shall be held for the owner of the motor vehicle or entitled lienholder for ninety days, and shall then be deposited in the reimbursement fund received by the department of public safety pursuant to section three hundred twenty-one point one hundred forty-five (321.145), subsection two (2), of the Code. The costs to police authorities of auction, towing, preserving, storage, and all notice and publication costs, inspection costs and all other costs which result from placing other abandoned vehicles in custody, whenever the proceeds from a sale of such other abandoned motor vehicles are insufficient to meet these expenses and costs, shall be paid from the reimbursement fund of the department of public safety under section three hundred twenty-one point one hundred forty-five (321.145), subsection two (2), of the Code. In the event the reimbursement fund is temporarily exhausted, payment shall be deferred until the reimbursement fund contains sufficient funds to meet the claims.

The state comptroller shall establish by rule a claims procedure to be followed by police authorities in obtaining expenses and costs from the fund.

Sec. 6. GARAGEKEEPERS AND ABANDONED MOTOR VEHICLES.

Any motor vehicle left in a garage operated for commercial purposes after the period for which the vehicle was to remain on the premises shall, after notice by certified mail to the last known registered owner of the vehicle addressed to his last known address of record to reclaim the vehicle within ten days of the date of the notice, be deemed an abandoned motor vehicle unless reclaimed by the owner within such ten-day period or the owner notifies the garagekeeper in writing within such period of time that such vehicle is not an abandoned motor vehicle and shall be reported by the garagekeeper to the police authority. If the identity or address of the last registered owner of the motor vehicle cannot be determined, the vehicle shall be deemed an abandoned motor vehicle on the eleventh day after the period for which the vehicle was to remain on the premises unless reclaimed by the owner within the ten-day period or the owner notifies the garagekeeper in writing within such period of time that such vehicle is not an abandoned motor vehicle and shall be reported by the garagekeeper to the police authority. All abandoned motor vehicles left in garages may be taken into custody by a police authority upon the request of the garagekeeper and sold in accordance with the procedures set forth in this Act unless the motor vehicle is reclaimed. The proceeds of the sale shall be first applied to the garagekeeper's charges for towing and storage, and any surplus proceeds shall be distributed in accordance with section five (5) of this Act. Nothing in this section shall be construed to impair any lien of a garagekeeper under the laws of this state, or the right of a garagekeeper to foreclose his lien, provided that a garagekeeper shall be deemed to have abandoned his artisan lien when such vehicle is taken into custody by the police authority. For the purposes of this section "garagekeeper" means any operator

of a parking place or establishment, motor vehicle storage facility, or establishment for the servicing, repair, or maintenance of motor vehicles.

Sec. 7. DISPOSAL TO DEMOLISHER.

1. Any person, firm, corporation, or unit of government upon whose property or in whose possession is found any abandoned motor vehicle, or any person being the owner of a motor vehicle whose title certificate is faulty, lost, or destroyed and is thereby unable to transfer title to the motor vehicle, may apply to the police authority of the jurisdiction in which the motor vehicle is situated for authority to sell, give away, or otherwise dispose of the motor vehicle to a demolisher.

2. The application shall set out the name and address of the applicant, the year, make, model, and serial number of the motor vehicle, if ascertainable, together with any other identifying features, and shall contain a concise statement of the facts surrounding the abandonment, or a statement that the title of the motor vehicle is lost or destroyed, or the reasons for the defect of title in the owner. The applicant shall execute an affidavit stating that the facts alleged are true and that no material fact has been withheld.

3. If the police authority finds that the application is executed in proper form and shows that the motor vehicle has been abandoned upon the property of the applicant, or if it shows that the motor vehicle is not abandoned but that the applicant appears to be the rightful owner, the police authority shall follow appropriate notification procedures as set forth in section four (4) of this Act.

4. If the abandoned motor vehicle is not reclaimed in accordance with section four (4) of this Act, or no lienholder objects to the disposal in the case of an owner-applicant, the police authority shall give the applicant a certificate of authority to dispose of the motor vehicle to any demolisher for demolition, wrecking, or dismantling. The demolisher shall accept such certificate in lieu of the certificate of title to the motor vehicle.

5. Notwithstanding any other provisions of this Act, any person, firm, corporation, or unit of government upon whose property or in whose possession is found any abandoned motor vehicle, or any person being the owner of a motor vehicle whose title certificate is faulty, lost, or destroyed, may dispose of such motor vehicle to a demolisher for junk without his title and without the notification procedures of section four (4) of this Act if the motor vehicle lacks an engine or two or more wheels or other structural part which renders the vehicle totally inoperable.

6. The owner of an abandoned motor vehicle and all lienholders shall no longer have any right, title, claim, or interest in or to such motor vehicle; and no court in any case in law or equity shall recognize any right, title, claim, or interest of any such owner and lienholders after the disposal of such motor vehicle to a demolisher.

7. Any proceeds from the sale of an abandoned motor vehicle to a demolisher under this section, by one other than the owner of the vehicle, shall first be applied to that person's expenses in effecting the sale, including storage, towing, and disposal charges, and any surplus shall be distributed in accordance with section five (5) of this Act.

Sec. 8. DUTIES OF DEMOLISHERS.

1. Any demolisher who purchases or otherwise acquires an abandoned motor vehicle for junk under the provisions of this Act shall junk, scrap, wreck, dismantle, or demolish such motor vehicle. However, if the vehicle is acquired under the provisions of subsection five (5), section seven (7), of this Act, the demolisher shall apply to the police authority of the jurisdiction from which the vehicle was acquired for a certificate of authority to demolish the vehicle. In making the application the demolisher shall describe the motor vehicle as required by subsection two (2), section seven (7), of this Act. The police authority shall issue the certificate of authority upon complying with subsection three (3), section seven (7), of this Act, but shall be excused from following the notification procedures as required therein. No further titling of the motor vehicle shall be permitted. After the motor vehicle has been demolished, processed, or changed so that it physically is no longer a motor vehicle, the demolisher shall surrender the auction sales receipt or certificate of authority to dispose of or demolish a motor vehicle to the department of public safety for cancellation. The department of public safety shall issue such forms, rules, and regulations governing the surrender of auction sales receipts, certificates of title, and certificates of authority to dispose of or demolish motor vehicles, and the cancellation and surrender of the registrations and certificates of title for such motor vehicles as are appropriate.

2. A demolisher shall keep an accurate and complete record of all motor vehicles purchased or received by him in the course of his business. These records shall contain the name and address of the person from whom each such motor vehicle was purchased or received and the date when such purchases or receipts occurred. Such records shall be open for inspection by any police authority at any time during normal business hours. Any record required by this section shall be kept by the demolisher for at least one year after the transaction to which it applies.

Sec. 9. No person, firm, corporation, unit of government, garagekeeper or police authority upon whose property an abandoned motor vehicle is found or who disposes of such abandoned vehicle in accordance with this Act shall be liable for damages by reason of the removal, sale, or disposal of such motor vehicle.

Sec. 10. Any person who abandons a motor vehicle shall be guilty of a misdemeanor.

Sec. 11. Chapter three hundred twenty-one (321), Code 1971,

is amended by adding the following new section:

“Notwithstanding the provisions of chapter three hundred twenty-two (322) of the Code, and any other statute to the contrary, the title to a motor vehicle may be transferred without a certificate of inspection as prescribed by chapter one hundred eighty-three (183), Acts of the Sixty-fourth General Assembly, First Session, where such motor vehicle is materially damaged, inoperable, or unsafe for use upon the highway upon compliance with the following conditions:

1. That the registration fee of the vehicle is not delinquent.

2. That the vehicle was obtained for the purpose of restoring, rebuilding or repairing and not for use upon the highway and such facts are evidenced by an affidavit signed by both the transferor and the transferee on a form provided by the department.

3. The transferor shall surrender the registration plates, registration card and the certificate of title, or if a foreign vehicle from a nontitle state, such evidence of foreign registration and ownership as may be prescribed by the department, unless the vehicle is sold or transferred pursuant to the provisions of sections two (2) through ten (10) of this Act, for the vehicle together with the application of the transferee for a restricted certificate of title, the affidavit as provided in subsection two (2) of this section and the fee for transfer to the county treasurer of the residence of the transferor who shall transmit the application of the transferee for a restricted certificate of title, the affidavit as provided in subsection two (2) of this section, and the fee for transfer to the county treasurer of the county of residence of the transferee. No refund of fees previously paid for the registration of such motor vehicle shall be allowed.

4. The county treasurer of the county of residence of the transferee upon receipt of the application for a new certificate of title, fee therefor, and the affidavit as provided in subsection two (2) of this section, and when satisfied as to the genuineness and regularity thereof, shall issue a restricted certificate of title to the applicant but shall not issue registration plates or a registration card. A restricted certificate of title shall be red in color and shall have conspicuously imprinted thereon in bold print, in a manner prescribed by the department, the words **RESTRICTED CERTIFICATE OF TITLE—CANNOT BE REGISTERED AND OPERATED ON THE HIGHWAYS WITHOUT A VALID**

APPROVED CERTIFICATE OF INSPECTION. At such time as the transferee surrenders a valid approved certificate of inspection and the restricted certificate of title to the county treasurer of the county of his residence, the county treasurer, upon payment of the appropriate fees, shall issue a certificate of title that is not restricted for the vehicle and shall also issue a registration card and registration plates for the vehicle to the applicant,

however if the registration fee for the vehicle has been paid for the current year, the county treasurer shall issue a registration card and registration plates for the vehicle to the applicant upon payment of an additional registration fee of five dollars.

5. A motor vehicle which has a restricted certificate of title may be sold or otherwise transferred as provided in this section, except provisions pertaining to the surrender of current registration plates and registration card shall not apply; however, such motor vehicle may be sold or otherwise transferred pursuant to section three hundred twenty-one point forty-eight (321.48) of the Code to a dealer licensed under chapter three hundred twenty-two (322) of the Code without compliance with the provisions of this section.

6. No vehicle sold or otherwise transferred pursuant to the provisions of this section shall be driven upon the highway until a valid official certificate of inspection has been affixed thereto and an unrestricted certificate of title, a registration card, and registration plates for the vehicle have been issued to the purchaser or transferee.

7. The provisions of this section, except provisions pertaining to the surrender of current registration plates and registration card, shall also be applicable to the insurer of any vehicle who obtains ownership of the vehicle as a result of settlement resulting from the theft of a motor vehicle which has not been recovered, provided the vehicle has been reported stolen as provided in section three hundred twenty-one point eighty-five (321.85) of the Code and written proof of payment to the insured, resulting from such theft, is submitted by the applicant. Proof of payment for loss due to theft shall be submitted on forms prescribed or provided by the department."

Sec. 12. Section three hundred twenty-one point eighty-five (321.85), Code 1971, is amended to read as follows:

321.85 STOLEN [OR ABANDONED] VEHICLES. Whenever any motor vehicle is seized under section 321.84 or whenever any motor vehicle is stolen or embezzled, and is not claimed by the owner before the date on which the person charged with the stealing or embezzling of same is convicted, [or if the motor vehicle be abandoned and is not claimed by the owner within three days,] then the officer having [same] *the motor vehicle* in his custody must, on such date by certified mail, notify the department that he has such a motor vehicle in his possession, giving a full and complete description of same, including all marks of identification, factory and serial numbers.

Sec. 13. Section three hundred twenty-one point eighty-eight (321.88), Code 1971, as amended by chapter one hundred eighty-three (183), section five (5), Acts of the Sixty-fourth General Assembly, First Session, is amended by striking the section and inserting in lieu thereof the following:

321.88 FAILURE OF OWNER TO CLAIM. If the owner does

not appear within forty days, the motor vehicle shall be deemed abandoned and the officer having possession of the motor vehicle shall proceed as provided in sections four (4) and five (5) of this Act.

Sec. 14. Sections three hundred twenty-one point eighty-nine (321.89), three hundred twenty-one point ninety (321.90), and three hundred twenty-one point ninety-one (321.91), Code 1971, are repealed.

2. Page 1, line 1, by striking all after the word "Act" and by striking all of line 2 and inserting in lieu thereof the following: "relating to the disposal or transfer of abandoned, repairable, or stolen motor vehicles, and providing a penalty."

Motion prevailed and the House concurred in the Senate amendment.

Kehe of Bremer moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its repassage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 671)

The ayes were, 83:

Anania	Grassley	Miller	Siglin
Andersen	Hamilton	Moffitt	Small
Bennett	Hill	Mollett	Sorg
Bergman	Holden	Monroe	Stanley
Blouin	Husak	Nielsen	Stokes
Bray	Kehe	Norpel	Strand
Camp	Kelly	Nystrom	Stromer
Campbell	Kennedy	Patton	Strothman
Clark	Kinley	Pellett	Taylor
Cochran	Knoke	Priebe	Tieden
Curtis	Kreamer	Radl	Trowbridge
Den Herder	Kruse	Rex	Varley
Dougherty	Larson	Rodgers	Waugh
Doyle	Lawson	Roorda	Welden
Drake	Lipsky	Sargisson	Wells
Dunton	Logemann	Schmeiser	Willits
Edelen	Mayberry	Schroeder	Winkelman
Egenes	McCormick	Schwartz	Wirtz
Ellsworth	McElroy	Schwieger	Wyckoff
Ewell	Mendenhall	Scott	Mr. Speaker
Gluba	Menefee	Shaw	(Millen)

The nays were, 1:

Uban

Absent or not voting, 16:

Alt	Franklin	Harbor	Middleswart
Christensen	Freeman	Jesse	Pelton
Fischer, H. O.	Goode	Johnston	Pierson
Fisher, C. R.	Hansen	Knoblauch	Skinner

The bill having received a constitutional majority was declared to have repassed the House and the title was agreed to.

MOTION TO RECONSIDER WITHDRAWN
(House File 1113)

Schroeder of Pottawattamie asked and received unanimous consent to withdraw the motion to reconsider House File 1113 filed by him on February 18, 1972.

CONSIDERATION OF BILLS
WAYS AND MEANS CALENDAR
BUSINESS PENDING

The House resumed consideration of **House File 1276**, a bill for an act relating to the private sale, control and distribution of wine containing not more than seventeen percent alcohol by weight, declaring certain acts to be unlawful and prescribing penalties therefor.

Jesse of Polk offered the following amendment filed by him and moved its adoption:

Amend House File 1276, page 13, by striking from line 5 the words "amended to read as fol-" and all of lines 6 through 11 inclusive, and inserting in lieu thereof the word "repealed."

The amendment was adopted.

Kreamer of Polk offered the following amendment filed by him and moved its adoption:

Amend House File 1276 as follows:

1. Page 19, by striking in line 33 the words "Cost, for" and by striking all of lines 34 and 35.
2. Page 20, by striking all of lines 1, 2 and 3.

A non-record roll call was requested.

The ayes were 65, nays 24.

The amendment was adopted.

By unanimous consent, the following amendments were withdrawn:

The Kreamer amendment filed on March 2, 1972, and found on page 920 of the House Journal.

The Uban amendment filed on March 2, 1972, and found on page 921 of the House Journal.

Trowbridge of Floyd offered the following amendment filed by him:

Amend House File 1276, page 19, line 33, by

inserting after the word "cent" the following: *"except that when a certain brand of wine is not selling and the retail permittee feels a need to 'close out his stock', the minimum mark up shall not apply"*.

Knoke of Pottawattamie asked for unanimous consent that the rules be suspended to amend the Trowbridge amendment.

Objection was raised.

Knoke of Pottawattamie moved that the rules be suspended on the Trowbridge amendment so that the amendment may be corrected to conform with the Kreamer amendment adopted.

A non-record roll call was requested.

The ayes were 59, nays 27.

The motion prevailed.

Speaker Harbor in the chair at 10:45 a.m.

Trowbridge of Floyd offered the following amendment to his amendment from the floor and moved its adoption:

Amend the Trowbridge amendment to page 19 of House File 1276, filed March 2, 1972, by striking the word "that" in line 3 and the words ", the minimum mark up shall not apply" in line 5.

A non-record roll call was requested.

The ayes were 63, nays 22.

The amendment to the amendment was adopted.

Trowbridge of Floyd moved the adoption of his amendment as amended.

The amendment as amended was adopted.

Kennedy of Chickasaw offered the following amendment filed by Kennedy, et al., and moved its adoption:

Amend House File 1276, page 21, sub-section 2 by placing a period after the word "business", and striking the word "and" at the end of line 27 and further striking the remainder of sub-section 2, lines 28, 29, 30, 31 and 32.

A non-record roll call was requested.

The ayes were 65, nays 18.

The amendment was adopted.

Uban of Black Hawk offered the following amendment filed by him and moved its adoption:

Amend House File 1276, page 22, by inserting after the period in line 26 the following:

"Neither shall any holder of a certificate of compliance extend any credit to Class "A" permittees."

The amendment lost.

Trowbridge of Floyd moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1276)

The ayes were, 62:

Alt	Franklin	Lawson	Schwieger
Anania	Freeman	Lipsky	Shaw
Andersen	Gluba	Logemann	Skinner
Bennett	Hansen	Mayberry	Small
Blouin	Hill	McCormick	Sorg
Bray	Husak	McElroy	Stanley
Camp	Jesse	Millen	Stromer
Clark	Johnston	Monroe	Taylor
Cochran	Kehe	Norpel	Tieden
Curtis	Kelly	Nystrom	Trowbridge
Dougherty	Kennedy	Patton	Waugh
Doyle	Kinley	Priebe	Wells
Edelen	Knoblauch	Schmeiser	Willits
Ellsworth	Knoke	Schroeder	Wirtz
Ewell	Kreamer	Schwartz	Mr. Speaker
Fischer, H. O.	Larson		

The nays were, 34:

Bergman	Holden	Pierson	Stokes
Campbell	Kruse	Radl	Strand
Christensen	Mendenhall	Rex	Strothman
Den Herder	Menefee	Rodgers	Uban
Drake	Middleswart	Roorda	Varley
Dunton	Miller	Sargisson	Welden
Egenes	Moffitt	Scott	Winkelman
Fisher, C. R.	Nielsen	Siglin	Wyckoff
Grassley	Pellett		

Absent or not voting, 4:

Goode	Hamilton	Mollett	Pelton
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Trowbridge of Floyd moved that the vote by which House File 1276 passed the House be reconsidered and that motion to reconsider be tabled.

A non-record roll call was requested.

The ayes were 62, nays 8.

The motion prevailed.

HOUSE CONCURRENT RESOLUTION 123

By Welden, Taylor, Blouin, Franklin, Egenes, Gluba,
Wells, Andersen, Wyckoff, Willits, Larson, Nystrom,
Logemann, Schwieger, Edelen, Strothman,
Norpel, Cochran, Husak and Trowbridge

Whereas, the Sixty-fourth General Assembly, First Session, appropriated funds for the payment of salaries and for providing other economic benefits for employees of the state; and

Whereas, it was intended by the general assembly that benefits be provided for each employee of the state at a cost of fifteen dollars per month; and

Whereas, the state is presently contributing twelve dollars per month for hospitalization and medical insurance for each of its employees; and

Whereas, the executive council has determined that an expenditure for disability income protection must be authorized by the general assembly; *Now, Therefore*,

Be It Resolved by the House of Representatives, the Senate Concurring, That the general assembly recommends that the executive council approve the expenditure of three dollars per month for the purchase of disability income protection and life insurance protection for each employee of the state.

Laid over under Rule 25.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 2, 1972, he approved and transmitted to the Secretary of State the following bills:

House File 227, an act relating to fee for issuance of tax deed.

House File 391, an act relating to the bonding of operators of slaughterhouses buying cattle, hogs, or sheep, and the bonding of agents, dealers, or brokers of such operators, and providing a penalty.

House File 412, an act relating to administrative rules of departments of the state.

House File 494, an act relating to the transfer of portions of the primary road system into the secondary road system.

House File 684, an act relating to enforcement of the motor fuel tax laws.

House File 1012, an act requiring posting of bond in conjunction with petition to establish a rural water district.

House File 1036, an act requiring the posting of a bond in conjunction with a petition to establish a private sanitary district, and the funding of preliminary expenses of such district.

House File 1052, an act relating to the deposit and use of fees collected by the Iowa State Commerce Commission.

House File 1084, an act to provide that rural water districts shall not be subject to regulation by the Iowa State Commerce Commission.

House File 1104, an act relating to protective eye glass lenses.

Senate File 1005, an act relating to the military records of veterans.

Senate File 1014, an act relating to money advances by county boards of supervisors to county conservation boards from money in the county general funds.

Senate File 1046, an act permitting the Commissioner of Social Services to grant easements for water or sewage lines and for drainage across certain lands belonging to the state.

REPORT OF COMMITTEE

Camp of Clinton, from the committee on appropriations, submitted the following report:

MR. SPEAKER: Your committee on appropriations, to whom was referred **Senate File 470**, a bill for an act relating to deferred compensation for governmental employees, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same **be amended as follows, and when so amended the bill do pass:**

Amend Senate File 470, as passed by the Senate, by striking everything after the enacting clause and inserting in lieu thereof the following:

"Section 1. Chapter five hundred nine A (509A), Code 1971, is amended by adding the following new section:

"At the request of an employee the governing body shall by contractual agreement acquire an individual or group life insurance contract, annuity contract, security or any other deferred payment contract for the purpose of funding a deferred compensation program for an employee, from any company the employee may choose that is authorized to do business in this state and from any life underwriter duly licensed by this state or from any securities dealer or salesman registered in this state to contract business in this state. The deferred compensation program shall be administered so that the state comptroller or his designees may remit one sum for the entire program according to a single billing.

The provisions of this act shall be in addition to any benefit program provided by law for any employees of the state or any of its political subdivisions."

CAMP of Clinton, Chairman

AMENDMENTS FILED

- 1 Amend Rule 28 of the Temporary Rules of the House,
- 2 line 14, by striking the period and inserting in lieu thereof
- 3 the following: "when not in conflict with Rule 36."

COMMITTEE ON RULES
VARLEY of Adair, Chairman

1 Amend Rule 36 of the Temporary Rules of the House
 2 as amended and adopted by inserting after the figure
 3 "1972" in line 9 the words, "and no sifting committee bill
 4 or appropriations committee bill shall be reported out
 5 of committee after March 10, 1972".

COMMITTEE ON RULES
 VARLEY of Adair, Chairman

1 Amend House File 1214, page 2, by inserting after
 2 line 25 the following new section:
 3 "Sec. 4. Upon certification from the county
 4 auditor at the end of the fiscal year that there is a
 5 balance on hand of unexpended funds, the board of
 6 supervisors may authorize the funding of a cost of
 7 living compensation plan for all elected county
 8 officials whose compensation is established in chapters
 9 three hundred thirty-one (331) and three hundred forty
 10 (340) of the Code. The compensation schedule in such
 11 plan shall not exceed guidelines established in
 12 federal law or regulation, or one hundred dollars for
 13 every three points increase in the United States
 14 department of labor consumer price index as published
 15 for July, 1969."

REX of Hamilton
 EDELEN of Emmet

1 Amend Senate File 185, as amended and passed by
 2 the Senate, by striking paragraph e of subsection one
 3 (1) of Section 1 and inserting in lieu thereof the
 4 following:
 5 "e. Care and treatment of persons
 6 admitted or committed to the alcoholic treatment
 7 center at Oakdale or any facilities as provided in
 8 chapter one hundred twenty-three B (123B) of the Code,
 9 provided, however, that any such admission shall be
 10 reported to the county board of supervisors within
 11 five days by the center or facility offering such
 12 treatment."

HOLDEN of Scott
 SHAW of Scott

On motion by Varley of Adair, the House adjourned until
 10:00 a.m., Monday, March 6, 1972.

JOURNAL OF THE HOUSE

Fifty-seventh Calendar Day—Forty-first Session Day

HALL OF THE HOUSE OF REPRESENTATIVES
DES MOINES, IOWA, MONDAY, MARCH 6, 1972

The House met pursuant to adjournment, Speaker pro tempore Millen in the chair.

Prayer was offered by Father Dunkel, pastor of the St. Patrick's Church, Parkersburg, Iowa.

The Journal of Friday, March 3, 1972, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Robert Martin, Cedar Rapids, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Menefee of Fayette on request of Nielsen of Shelby; Bennett of Polk for March 6, 7, and 8 on request of Kelly of Polk.

PRESENTATION OF VISITORS

Waugh of Monona presented to the House Alvin Eck, past president of the Community Club of Ricketts, and a delegation announcing the dates of August 5 and 6 as "Thresherman Days."

The Speaker announced that the following visitors were present in the House chamber:

Twenty-nine government class students, ninth and tenth grades, from Gladbrook High School, Gladbrook, Iowa, accompanied by Tom Murr. By Husak of Tama.

Twenty-five eighth grade students from Dallas Community School, Dallas Center, Iowa, accompanied by Ron Graham. By Rodgers of Dallas.

One hundred eighty state government class students from Grinnell, Newburg School, Poweshiek County. By Strand of Poweshiek.

Twenty Boy Scouts from Cedar Rapids, Iowa. By Sorg of Linn.

Fifty ninth grade students from Starmount School, Clayton County, accompanied by Veryl Jones. By Tieden of Clayton, Menefee of Fayette, and Patton of Buchanan.

Forty junior students from Radcliffe School, Radcliffe, Iowa, accompanied by Wilbur Molendorf. By Welden of Hardin.

PETITION FILED

The following petitions were received and placed on file:

By Fisher of Greene from twenty residents of Greene County regarding benefits for employees of the Iowa state highway commission.

By Edelen of Emmet from six residents of Emmet County opposing competitive low bidding.

By Grassley of Butler from forty members of the Butler County American Legion and Butler County American Legion Auxiliary opposing House File 1197, to eliminate tax exemptions on property owned by veteran organizations.

By Sargisson of Woodbury from thirty-two Woodbury County residents favoring an increase in IPERS.

ADOPTION OF COMMITTEE REPORT

The Chief Clerk announced the adoption of report of committee on Senate File 470, under Rule 35.

INTRODUCTION OF BILLS

House File 1291, by committee on appropriations, a bill for an act relating to the establishment of an office of citizens' aide, his duties, and providing penalties and making an appropriation.

Read first time and placed on the appropriations calendar.

House File 1292, by committee on appropriations, a bill for an act to increase the allocation for construction of state institutional roads and state park roads.

Read first time and placed on the appropriations calendar.

SENATE MESSAGES CONSIDERED

Senate File 274, a bill for an act relating to age discrimination in employment.

Read first time and referred to the sifting committee.

Senate File 1158, a bill for an act authorizing cities and towns to acquire, improve, equip and lease pollution control facilities, and issue revenue bonds in connection therewith.

Read first time and referred to the sifting committee.

Senate File 1182, a bill for an act to appropriate funds from the general fund of the state of Iowa to the Iowa crime commission for the purpose of matching federal funds to support certain activities within local government units and creating a legislative advisory committee.

Read first time and referred to committee on appropriations.

Senate File 1188, a bill for an act relating to the publication of educational and scientific reports by the state archaeologist.

Read first time and referred to committee on appropriations.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File 1147, a bill for an act relating to election laws and providing penalties.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File 1158, a bill for an act relating to pollution control facilities.

CARROLL A. LANE, Secretary

SENATE AMENDMENT TO HOUSE FILE 1147

- 1 Amend House File 1147, as amended, passed, and reprinted by
- 2 the House as follows:
- 3 1. Page 2A, by striking from lines 25 and 26 the words
- 4 " , including registration records,"
- 5 2. Page 2A, by inserting after the period in line 27 the
- 6 following new sentences: "All of the present records of
- 7 registration, precinct books, and all other documents
- 8 and papers pertaining to the registration of electors or
- 9 those electors who are currently registered that are upon
- 10 the effective date of this Act, in the care, custody and
- 11 control of a city subject to the provisions of chapter
- 12 forty-eight (48) of the Code, shall be delivered by such
- 13 city to the county commissioner of registration. Such
- 14 records that establish that an elector is currently registered
- 15 and all precinct pollbooks shall be valid, and may be used
- 16 by the county commissioner of registration in all subsequent
- 17 elections as provided in this Act. An elector who is validly
- 18 registered to vote upon the effective date of this Act, shall

19 remain so registered and shall be entitled to vote in all
20 subsequent elections as provided in this Act."

21 3. Page 4, line 3, by striking the words "*or city*".

22 4. Page 5, by adding after line 18 the following:

23 "FOR TOWNSHIP CLERK

24 (Vote for one.)

25 Dolores Black

26 John Raymond

27

28 "FOR TOWNSHIP TRUSTEES

29 (Vote for two.)

30 Margaret Jones

31 William Jones

32 H. S. Wilson

33

34 5. Page 5, by striking line 24 and inserting in lieu thereof
35 the following: "election, except township[, city or town]
36 officers. Such".

37 6. Page 5, by striking lines 28 and 29 and inserting in lieu
38 thereof the following: "publication shall be in not less than
39 two newspapers within the county, representing, if possible,".

40 7. Page 6, line 12, by striking the word "Precinct" and
41 inserting in lieu thereof "A branch office of".

42 8. Page 6, by inserting after the period in line 24 the
43 following new sentence: "Notwithstanding the provisions
44 of this section, the commissioner of registration may also
45 appoint a city clerk as a deputy."

46 9. Page 7, line 3, by striking the words "city or county"
47 and inserting in lieu thereof the following: "[city or county]
48 *cities and counties*".

49 10. Page 7, line 31, by inserting after the word "party"
50 the words "polling in excess of two percent of the popular
51 vote in the county in the last preceding general election".

52 11. Page 7, by inserting after the period in line 31 the
53 following new sentences: "If the county commissioner of
54 registration maintains a computerized list of qualified
55 electors by precinct, he shall, upon demand and without
56 charge, on August first prior to the general election, pro-
57 vide the county chairman for each political party, a complete
58 list of all qualified electors, by precinct, within the
59 county. The county commissioner of registration, if
60 computerized lists of qualified electors are maintained
61 shall, each week, upon demand and without charge, from
62 August first until October first, prior to the general
63 election and each day, or on each day thereafter that the
64 computerized list is updated, until the close of
65 registration, provide the county chairman of each political
66 party a list of electors who have registered since the
67 last such list was provided."

68 12. Page 7, by inserting after line 34 the following new
69 paragraph:

70 "Such lists shall not be used for any commercial purpose,
71 advertising, or solicitation, of any kind or nature, other
72 than to request such person's vote at a primary or general
73 election, or any other bona fide political purpose. The
74 commission shall keep a list of the name, address, telephone

75 number, and social security number of each person who copies
76 or duplicates such lists. Any person, firm, or corporation
77 that uses such lists in violation of this section shall,
78 upon conviction, be imprisoned in the county jail, not to
79 exceed one year, or be fined not to exceed one thousand
80 dollars, or by both such fine and imprisonment, for each
81 violation."

82 13. Page 11A, by striking all of line 33 after the word
83 "felonies", and by striking all of lines 34 and 35 and
84 inserting in lieu thereof the following: ", of legal
85 declarations of mental incompetence and of diagnosis of
86 severe or profound mental retardation, or of severe
87 psychiatric illness of persons of voting age."

88 14. Page 12, line 12, by striking the word "four" and
89 inserting in lieu thereof the words "the last preceding
90 four consecutive".

91 15. Page 12, lines 19 and 20, by striking the words
92 "an idiot or insane person or mentally ill" and inserting
93 in lieu thereof the following: "severely or profoundly
94 mentally retarded, or has been diagnosed as ill for severe
95 psychiatric reasons, or under conservatorship or guardian-
96 ship by reason of incompetency. Certification by the
97 superintendent of a mental health hospital or other
98 institution upon the discharge of any such person that
99 he is, at that time, restored to good mental health shall
100 qualify such person to again be an elector, subject to
101 the other provisions of this chapter. Termination by
102 the court of any such conservatorship or guardianship
103 shall qualify any such ward to again be an elector, subject
104 to the other provisions of this chapter".

105 16. Page 17, by adding after line 22, the following new
106 section:

107 "Sec. Chapter forty-nine (49), Code 1971, is
108 hereby amended by adding the following new section thereto:

109 In case of all challenges of electors at the time he
110 is offering to vote in a precinct, an election judge may
111 place such person under oath and question him as, (1) where
112 he maintains his home; (2) how long he has maintained his
113 home at such place; (3) if he maintains a home at any other
114 location; (4) his age; (5) and any other facts which will
115 bear upon his qualifications. The election judge may permit
116 the challenger to participate in such questions. The
117 challenged elector shall be allowed to present to the judge
118 such evidence and facts that he feels sustains the fact
119 that he is qualified to vote. Upon completion thereof,
120 the election judge hearing the challenge shall determine
121 if the challenged elector shall be allowed to vote."

122 17. Page 18, line 16, by striking the figure "53.11" and
123 inserting in lieu thereof the words and figure "fifty-
124 three point eleven (53.11) of the Code".

125 18. Page 19B, line 40, by striking the words "precinct
126 pollbooks and".

127 19. Page 19B, by inserting after line 42 the following
128 new paragraph:

129 "In nonregistration areas, not later than thirty

130 days from the date of the official canvass, the affidavits
131 of absentee voters shall be cross-checked with the
132 precinct pollbooks to insure that no one has voted
133 twice, in violation of law."

134 20. Page 20, by inserting after line 12 the following
135 new sections:

136 "Sec. Section four hundred forty-four point
137 nine (444.9), subsection two (2), Code 1971, is amended
138 by striking unnumbered paragraph two (2).

139 Sec..... Chapter four hundred forty-four (444),

140 Code 1971, is amended by adding the following new section:

141 'ELECTION EXPENSE FUND. There is created in the office
142 of the county treasurer of each county a fund to be known
143 as the election expense fund. Annually, the board of
144 supervisors shall levy an amount sufficient to pay the
145 costs of elections and voter registration, pursuant to
146 chapter forty-eight (48) of the Code, incurred by the
147 county. The funds deposited in this account shall be used
148 to pay election and voter registration costs and shall
149 not be appropriated for any other purposes or transferred
150 into any other county fund. Any monies budgeted by any
151 county for the conducting of elections in the year 1972,
152 shall be transferred to this fund. If additional funds
153 are needed to register voters, pursuant to chapter forty-
154 eight (48) of the Code, after the effective date of this
155 Act, and until July 1, 1973, such costs shall be certified
156 by the county commissioner of registration to the board of
157 supervisors, who shall, after approving the costs thereof,
158 authorize the issuance of anticipatory warrants pursuant
159 to section three hundred thirty-four point five (334.5)
160 of the Code, to pay such additional costs. The monies
161 necessary to redeem such warrants shall be part of the
162 levy for the next year.'

163 Sec. Section seven hundred thirty-eight point
164 seven (738.7), Code 1971, is amended to read as follows:

165 738.7 VOTING MORE THAN ONCE. If any elector unlaw-
166 fully votes more than once at any election which may
167 be held by virtue of any law of this state, he shall
168 be fined not exceeding [two] *three* hundred dollars, or
169 be imprisoned in the county jail not exceeding one year."

170 21. Page 21, line 12, by inserting after the figure
171 "(48.14)," the words and figure "forty-eight point
172 eighteen (48.18),".

173 22. Page 22, line 2, by inserting after the figure
174 "(53.10)," the words and figure "fifty-six point eight
175 (56.8),".

176 23. Renumber sections and correct internal references
177 as necessary in accordance with this amendment.

MOTIONS TO RECONSIDER WITHDRAWN
(House File 1265)

Uban of Black Hawk asked and received unanimous consent to withdraw his motion to reconsider House File 1265, filed on March 1, 1972.

(House File 1257)

Blouin of Dubuque asked and received unanimous consent to withdraw his motion to reconsider **House File 1257**, filed on March 2, 1972.

AMENDMENT WITHDRAWN

(House File 1265)

Cochran of Webster asked and received unanimous consent to withdraw the amendment filed by him to **House File 1265**, on March 2, 1972, and found on page 920 of the House Journal.

CONSIDERATION OF BILLS

NONCONTROVERSIAL COMMITTEE CALENDAR

House File 354, a bill for an act relating to the regulation of model rocketry for educational, scientific and recreational purposes, providing minimum standards of safety, and providing penalties, with report of committee recommending passage, was taken up for consideration.

Jesse of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 354)

The ayes were, 88:

Alt	Fisher, C. R.	McCormick	Scott
Anania	Franklin	McElroy	Shaw
Andersen	Freeman	Mendenhall	Siglin
Bennett	Gluba	Middleswart	Skinner
Bergman	Grassley	Miller	Small
Blouin	Hamilton	Moffitt	Sorg
Bray	Hansen	Monroe	Stanley
Campbell	Harbor	Nielsen	Strand
Camp	Hill	Norpel	Stromer
Christensen	Holden	Nystrom	Strothman
Clark	Husak	Patton	Taylor
Cochran	Jesse	Pellett	Tieden
Curtis	Kelly	Pelton	Uban
Den Herder	Kinley	Pierson	Varley
Dougherty	Knoblauch	Priebe	Waugh
Doyle	Knoke	Radl	Wells
Drake	Kreamer	Rex	Willits
Dunton	Kruse	Rodgers	Winkelman
Edelen	Larson	Roorda	Wirtz
Egenes	Lipsky	Schmeiser	Wyckoff
Ellsworth	Logemann	Schroeder	Mr. Speaker
Ewell	Mayberry	Schwieger	(Millen)
Fischer, H. O.			

The nays were, none.

Absent or not voting, 12:

Goode	Kennedy	Mollett	Stokes
Johnston	Lawson	Sargisson	Trowbridge
Kehe	Menefee	Schwartz	Welden

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

House File 1253, a bill for an act relating to the use of ambulance services at university hospital, was taken up for consideration.

Den Herder of Sioux moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1253)

The ayes were, 87:

Alt	Fisher, C. R.	McElroy	Shaw
Anania	Franklin	Mendenhall	Siglin
Andersen	Freeman	Middleswart	Skinner
Bergman	Gluba	Miller	Small
Blouin	Grassley	Moffitt	Sorg
Bray	Hamilton	Monroe	Stanley
Camp	Hansen	Nielsen	Strand
Campbell	Harbor	Norpel	Stromer
Christensen	Hill	Nystrom	Strothman
Clark	Holden	Patton	Taylor
Cochran	Husak	Pellett	Tieden
Curtis	Jesse	Pelton	Uban
Den Herder	Kelly	Pierson	Varley
Dougherty	Kinley	Priebe	Waugh
Doyle	Knoblauch	Radl	Welden
Drake	Knoke	Rex	Wells
Dunton	Kreamer	Rodgers	Willits
Edelen	Kruse	Roorda	Winkelman
Egenes	Larson	Schmeiser	Wirtz
Ellsworth	Lipsky	Schroeder	Wyckoff
Ewell	Logemann	Schwieger	Mr. Speaker
Fischer, H. O.	McCormick	Scott	(Millen)

The nays were, none.

Absent or not voting, 13:

Bennett	Kennedy	Menefee	Schwartz
Goode	Lawson	Mollett	Stokes
Johnston	Mayberry	Sargisson	Trowbridge
Kehe			

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

Senate File 1019, a bill for an act making the violation of the Iowa Commercial Feed Law of 1964 a misdemeanor and providing a penalty therefor, with report of committee recommending passage, was taken up for consideration.

Knoke of Pottawattamie moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 1019)

The ayes were, 86:

Alt	Fisher, C. R.	McElroy	Siglin
Anania	Freeman	Mendenhall	Skinner
Andersen	Gluba	Middleswart	Small
Bergman	Grassley	Miller	Sorg
Blouin	Hamilton	Moffitt	Stanley
Bray	Hansen	Monroe	Strand
Camp	Harbor	Nielsen	Stromer
Campbell	Hill	Norpel	Strothman
Christensen	Holden	Nystrom	Taylor
Clark	Husak	Patton	Tieden
Cochran	Jesse	Pellett	Uban
Curtis	Kelly	Pierson	Varley
Den Herder	Kinley	Priebe	Waugh
Dougherty	Knoblauch	Radl	Welden
Doyle	Knoke	Rex	Wells
Drake	Kreamer	Rodgers	Willits
Dunton	Kruse	Roord	Winkelman
Edelen	Larson	Schmeiser	Wirtz
Egenes	Lipsky	Schroeder	Wyckoff
Ellsworth	Logemann	Schwieger	Mr. Speaker
Ewell	Mayberry	Scott	(Millen)
Fischer, H.O.	McCormick	Shaw	

The nays were, none.

Absent or not voting, 14:

Bennett	Kehe	Mollett	Schwartz
Franklin	Kennedy	Pelton	Stokes
Goode	Lawson	Sargisson	Trowbridge
Johnston	Menefee		

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

House File 1259, a bill for an act relating to the use of motor vehicle "registration applied for" cards, was taken up for consideration.

Schwieger of Black Hawk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1259)

The ayes were, 86:

Alt	Clark	Egenes	Hamilton
Anania	Cochran	Ellsworth	Hansen
Andersen	Curtis	Ewell	Harbor
Bergman	Den Herder	Fischer, H. O.	Hill
Blouin	Dougherty	Fisher, C. R.	Holden
Bray	Doyle	Franklin	Husak
Camp	Drake	Freeman	Jesse
Campbell	Dunton	Gluba	Kelly
Christensen	Edelen	Grassley	Kinley

Knoblauch	Monroe	Schroeder	Tieden
Knobe	Nielsen	Schwieger	Uban
Kreamer	Norpel	Scott	Varley
Kruse	Nystrom	Shaw	Waugh
Larson	Patton	Siglin	Welden
Lipsky	Pellett	Skinner	Wells
Logemann	Pelton	Small	Willits
McCormick	Priebe	Sorg	Winkelman
McElroy	Radl	Stanley	Wirtz
Mendenhall	Rex	Strand	Wyckoff
Middleswart	Rodgers	Stromer	Mr. Speaker
Miller	Roorda	Strothman	(Millen)
Moffitt	Schmeiser	Taylor	

The nays were, none.

Absent or not voting, 14:

Bennett	Kennedy	Mollett	Schwartz
Goode	Lawson	Pierson	Stokes
Johnston	Mayberry	Sargisson	Trowbridge
Kehe	Menefee		

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

APPROPRIATIONS CALENDAR

Senate File 1091, a bill for an act making an appropriation to the department of public instruction for the purpose of participating in certain federal programs, with report of committee recommending passage, was taken up for consideration.

Taylor of Dubuque offered the following amendment filed by Taylor, Radl and Ellsworth and moved its adoption:

Amend Senate File 1091, as amended and passed by the Senate, by adding at the end of section 4, after the word "students" the following: "*attending classes four hours or more a day*".

The amendment was adopted.

Grassley of Butler moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 1091)

The ayes were, 87:

Alt	Campbell	Doyle	Fischer, H. O.
Anania	Christensen	Drake	Fisher, C. R.
Andersen	Clark	Dunton	Franklin
Bergman	Cochran	Edelen	Freeman
Blouin	Curtis	Egenes	Gluba
Bray	Den Herder	Ellsworth	Grassley
Camp	Dougherty	Ewell	Hamilton

Hansen	Mayberry	Priebe	Strand
Harbor	McCormick	Radl	Stromer
Hill	McElroy	Rex	Strothman
Holden	Mendenhall	Rodgers	Taylor
Husak	Middleswart	Roorda	Tieden
Jesse	Miller	Schmeiser	Uban
Kelly	Moffitt	Schroeder	Varley
Kinley	Monroe	Schwieger	Welden
Knoblauch	Nielsen	Scott	Wells
Knoke	Norpel	Shaw	Willits
Kreamer	Nystrom	Siglin	Winkelman
Kruse	Patton	Skinner	Wirtz
Larson	Pellett	Small	Wyckoff
Lipsky	Pelton	Sorg	Mr. Speaker
Logemann	Pierson	Stanley	(Millen)

The nays were, none.

Absent or not voting, 13:

Bennett	Kennedy	Mollett	Stokes
Goode	Lawson	Sargisson	Trowbridge
Johnston	Menefee	Schwartz	Waugh
Kehe			

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

House File 1279, a bill for an act authorizing exercise of a purchase-option by the executive council and appropriating funds therefor, was taken up for consideration.

Camp of Clinton moved that the bill be read a last time now and placed up on its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1279)

The ayes were, 55:

Alt	Freeman	Mayberry	Shaw
Andersen	Gluba	McElroy	Siglin
Bergman	Grassley	Mendenhall	Sorg
Camp	Hamilton	Middleswart	Stanley
Campbell	Hansen	Miller	Stromer
Christensen	Harbor	Moffitt	Taylor
Clark	Hill	Nielsen	Tieden
Curtis	Holden	Nystrom	Varley
Den Herder	Knoblauch	Patton	Waugh
Drake	Knoke	Pellett	Welden
Dunton	Kreamer	Pelton	Winkelman
Egenes	Kruse	Roorda	Wirtz
Ellsworth	Lipsky	Schroeder	Mr. Speaker
Fisher, C. R.	Logemann	Schwartz	(Millen)

The nays were, 32:

Anania	Dougherty	Fischer, H. O.	Kelly
Blouin	Doyle	Franklin	Kinley
Bray	Edelen	Husak	Larson
Cochran	Ewell	Jesse	Monroe

Norpel	Rodgers	Skinner	Uban
Pierson	Sargisson	Small	Wells
Priebe	Schmeiser	Strand	Willits
Rex	Scott	Strothman	Wyckoff

Absent or not voting, 13:

Bennett	Kennedy	Menefee	Schwieger
Goode	Lawson	Mollett	Stokes
Johnston	McCormick	Radl	Trowbridge
Kehe			

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

The House was recessed until 1:30 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Harbor in the chair.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Kreamer of Polk for the afternoon on request of Stanley of Linn.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File 1132, a bill for an act correcting erroneous and obsolete sections of the Code of Iowa.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File 1074, a bill for an act legalizing proceedings of the United Community School District.

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

House File 367, a bill for an act relating to the joint planning commission.

CARROLL A. LANE, Secretary

SENATE AMENDMENT TO HOUSE FILE 367

- 1 Amend House File 367, as passed by the House, by adding after
- 2 line 19 the following new sections:
- 3 "Sec. Section four hundred seventy-three A point
- 4 four (473A.4), Code 1971, is amended by adding the following
- 5 new paragraph:
- 6 A planning commission formed under the provisions of this

7 chapter shall, upon designation as such by the governor, serve
8 as a district, regional or metropolitan agency for comprehensive
9 planning for its area for the purpose of carrying out the
10 functions as defined for such an agency by federal, state and
11 local laws and regulations."

12 "Sec. Chapter twenty-eight E (28E), Code 1971, is
13 amended by adding the following new section:

14 A planning commission, council of governments or similar
15 organization formed under the provisions of this chapter shall,
16 upon designation as such by the governor, serve as a district,
17 regional or metropolitan agency for comprehensive planning for
18 its area for the purpose of carrying out the functions as
19 defined for such agency by federal, state and local laws and
20 regulations."

21 "Sec. This Act, being deemed of immediate importance,
22 shall take effect and be in force from and after its publication
23 in the Hampton Chronicle, a newspaper published in Hampton,
24 Iowa, and in the Chariton Herald-Patriot, a newspaper published
25 in Chariton, Iowa."

HOUSE CONCURRENT RESOLUTION 124

By Christensen

Whereas, the machinery of law enforcement is fragmented and overlapping; and

Whereas, Iowa is a state of many small police forces and sheriff offices each operating independently within its jurisdiction; and

Whereas, the boundaries that define and limit law enforcement operations do not hinder the movement of criminals and often provide sanctuary from effective law enforcement; and

Whereas, the President's Commission on Law Enforcement and Administration of Justice found that one of the principal methods of improving law enforcement is the coordination or pooling of police services; and

Whereas, the protection of the people of Iowa may be enhanced by more efficient and effective use of the available law enforcement equipment and manpower, *Now Therefore*,

Be It Resolved by the House of Representatives, the Senate Concurring, That the legislative council is authorized to create a study committee, as provided by law, which committee shall include members of the appropriate standing committees of the house of representatives and the senate, to conduct during the 1972-1973 legislative interim a comprehensive study of the possibility and feasibility of joint, coordinated, or pooled law enforcement by the political subdivisions of this state; and

Be It Further Resolved, That the study committee shall include non-legislative members having special knowledge related to the area of the study; and

Be It Further Resolved, That a report of the study shall be prepared and submitted to the legislative council and the members of the Sixty-fifth General Assembly, First Session, and shall be accompanied by legislative bill drafts designed to carry out the recommendations of the committee.

Laid over under Rule 25.

CONSIDERATION OF BILLS
SIFTING COMMITTEE CALENDAR

House File 1273, a bill for an act relating to regulation of advertising and selling courses of instruction, was taken up for consideration.

Uban of Black Hawk offered the following amendment from the floor and moved its adoption:

Amend the title to House File 1273 by inserting after the word "selling" the word "of".

The amendment was adopted.

Curtis of Cherokee moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1273)

The ayes were, 77:

Alt	Fischer, H. O.	McElroy	Skinner
Anania	Freeman	Mendenhall	Sorg
Andersen	Gluba	Middleswart	Stanley
Blouin	Grassley	Miller	Strand
Bray	Hamilton	Moffitt	Stromer
Camp	Hansen	Monroe	Strothman
Campbell	Harbor	Nielsen	Taylor
Christensen	Holden	Norpel	Tieden
Clark	Husak	Nystrom	Trowbridge
Cochran	Jesse	Pellett	Uban
Curtis	Kelly	Pierson	Varley
Den Herder	Kennedy	Rodgers	Welden
Dougherty	Kinley	Roorda	Wells
Doyle	Knoblauch	Sargisson	Willits
Drake	Kruse	Schroeder	Winkelman
Dunton	Larson	Schwartz	Wirtz
Edelen	Lipsky	Schwieger	Wyckoff
Egenes	Logemann	Scott	Mr. Speaker
Ellsworth	Mayberry	Siglin	(Millen)
Ewell	McCormick		

The nays were, none.

Absent or not voting, 23:

Bennett	Johnston	Mollett	Schmeiser
Bergman	Kehe	Patton	Shaw
Fisher, C. R.	Knoke	Pelton	Small
Franklin	Kreamer	Priebe	Stokes
Goode	Lawson	Radl	Waugh
Hill	Menefee	Rex	

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

House File 1272, a bill for an act relating to bonded warehouses, was taken up for consideration.

Freeman of Buena Vista moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1272)

The ayes were, 82:

Alt	Fisher, C. R.	Mendenhall	Scott
Anania	Franklin	Middleswart	Shaw
Andersen	Freeman	Millen	Skinner
Bergman	Gluba	Miller	Small
Blouin	Grassley	Moffitt	Sorg
Camp	Hamilton	Monroe	Stanley
Campbell	Hansen	Nielsen	Strand
Christensen	Holden	Norpel	Stromer
Clark	Jesse	Nystrom	Strothman
Cochran	Kelly	Pellet	Taylor
Curtis	Kennedy	Pierson	Tieden
Den Herder	Kinley	Radl	Trowbridge
Dougherty	Knoblauch	Rex	Waugh
Doyle	Knoke	Rodgers	Welden
Drake	Kruse	Roorda	Wells
Dunton	Larson	Sargisson	Willits
Edelen	Lipsky	Schmeiser	Winkelman
Egenes	Logemann	Schroeder	Wirtz
Ellsworth	Mayberry	Schwartz	Wyckoff
Ewell	McCormick	Schwieger	Mr. Speaker
Fischer, H. O.	McElroy		

The nays were, 4:

Bray	Hill	Patton	Uban
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Absent or not voting, 14:

Bennett	Kehe	Mollett	Siglin
Goode	Kreamer	Pelton	Stokes
Husak	Lawson	Priebe	Varley
Johnston	Menefee		

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

House File 1281, a bill for an act making an appropriation to the state board of regents for the purpose of providing funds for use in a medical education and community orientation program, was taken up for consideration.

Grassley of Butler moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1281)

The ayes were, 84:

Alt	Fischer, H. O.	Mayberry	Schroeder
Anania	Fisher, C. R.	McCormick	Schwartz
Andersen	Franklin	McElroy	Schwieger
Bergman	Freeman	Mendenhall	Scott
Blouin	Gluba	Middleswart	Skinner
Bray	Grassley	Millen	Small
Camp	Hamilton	Miller	Sorg
Campbell	Hansen	Moffitt	Stanley
Christensen	Hill	Monroe	Stromer
Clark	Holden	Nielsen	Strothman
Cochran	Husak	Norpel	Taylor
Curtis	Jesse	Nystrom	Tieden
Den Herder	Kelly	Patton	Trowbridge
Dougherty	Kennedy	Pellett	Waugh
Doyle	Kinley	Pelton	Welden
Drake	Knoblauch	Pierson	Wells
Dunton	Knoke	Radl	Willits
Edelen	Kruse	Rex	Winkelman
Egenes	Larson	Rodgers	Wirtz
Ellsworth	Lipsky	Roorda	Wyckoff
Ewell	Logemann	Sargisson	Mr. Speaker

The nays were, none.

Absent or not voting, 16:

Bennett	Kreamer	Priebe	Stokes
Goode	Lawson	Schmeiser	Strand
Johnston	Menefee	Shaw	Uban
Kehe	Mollett	Siglin	Varley

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

House File 1282, a bill for an act relating to the creation of a physicians' assistants fund and making an appropriation therefor, was taken up for consideration.

Camp of Clinton moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1282)

The ayes were, 87:

Alt	Dougherty	Gluba	Knoke
Anania	Doyle	Grassley	Kruse
Andersen	Drake	Hamilton	Larson
Bergman	Dunton	Hansen	Lipsky
Blouin	Edelen	Hill	Logemann
Bray	Egenes	Holden	Mayberry
Camp	Ellsworth	Jesse	McCormick
Campbell	Ewell	Kehe	McElroy
Christensen	Fischer, H. O.	Kelly	Mendenhall
Clark	Fisher, C. R.	Kennedy	Middleswart
Curtis	Franklin	Kinley	Millen
Den Herder	Freeman	Knoblauch	Miller

Moffitt	Rex	Skinner	Uban
Monroe	Rodgers	Small	Waugh
Nielsen	Roorda	Sorg	Welden
Norpel	Sargisson	Stanley	Wells
Nystrom	Schroeder	Strand	Willits
Patton	Schwartz	Stromer	Winkelman
Pellett	Schwieger	Strothman	Wirtz
Pelton	Scott	Taylor	Wyckoff
Pierson	Shaw	Tieden	Mr. Speaker
Radl	Siglin	Trowbridge	

The nays were none.

Absent or not voting, 13:

Bennett	Johnston	Menefee	Schmeiser
Cochran	Kreamer	Mollett	Stokes
Goode	Lawson	Priebe	Varley
Husak			

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

SENATE FILE 470 PENDING

Senate File 470, a bill for an act relating to deferred compensation for government employees, with report of committee recommending amendment and passage, was taken up for consideration.

Fisher of Greene offered the following amendment filed by the committee on appropriations:

Amend Senate File 470, as passed by the Senate, by striking everything after the enacting clause and inserting in lieu thereof the following:

"Section 1. Chapter five hundred nine A (509A), Code 1971, is amended by adding the following new section:

"At the request of an employee the governing body shall by contractual agreement acquire an individual or group life insurance contract, annuity contract, security or any other deferred payment contract for the purpose of funding a deferred compensation program for an employee, from any company the employee may choose that is authorized to do business in this state and from any life underwriter duly licensed by this state or from any securities dealer or salesman registered in this state to contract business in this state. The deferred compensation program shall be administered so that the state comptroller or his designees may remit one sum for the entire program according to a single billing.

The provisions of this act shall be in addition to any benefit program provided by law for any employees of the state or any of its political subdivisions."

Andersen of Woodbury moved that Senate File 470 be deferred and that the bill retain its place on the calendar.

A non-record roll call was requested.

The ayes were 23, nays 55.

The motion lost.

Fisher of Greene moved adoption of the committee amendment.

Roll call was requested by Fisher of Greene and Rex of Hamilton.

Rule 70 was invoked.

Under the provisions of Rule 71, Hill of Polk and Clark of Lee refrained from voting.

On the question "Shall the committee amendment be adopted?"

The ayes were, 51:

Anania	Grassley	McElroy	Scott
Blouin	Hansen	Middleswart	Siglin
Bray	Holden	Miller	Skinner
Camp	Husak	Moffitt	Small
Christensen	Jesse	Monroe	Sorg
Curtis	Kennedy	Norpel	Stanley
Den Herder	Kinley	Nystrom	Strand
Doyle	Knoblauch	Patton	Uban
Drake	Larson	Pierson	Welden
Egenes	Lawson	Rex	Wells
Ewell	Lipsky	Rodgers	Willits
Fisher, C. R.	Mayberry	Roorda	Wyckoff
Gluba	McCormick	Schmeiser	

The nays were, 29:

Alt	Freeman	Nielsen	Strothman
Andersen	Hamilton	Pellett	Taylor
Bergman	Knoke	Pelton	Trowbridge
Campbell	Kruse	Radi	Waugh
Dougherty	Logemann	Sargisson	Winkelman
Edelen	Mendenhall	Schroeder	Wirtz
Ellsworth	Millen	Schwartz	Mr. Speaker
Fischer, H. O.			

Absent or not voting, 20:

Bennett	Goode	Kreamer	Shaw
Clark	Hill	Menefee	Stokes
Cochran	Johnston	Mollett	Stromer
Dunton	Kehe	Priebe	Tieden
Franklin	Kelly	Schwieger	Varley

The committee amendment was adopted.

(Senate File 470 pending at adjournment.)

REFERRED TO COMMITTEE
(House File 1267)

Under the provisions of Rule 31, House File 1267 now on the calendar is referred to the committee on appropriations.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Miller of Marshall, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate Files 1008, 1030 and 1087.

ELIZABETH R. MILLER
Chairman, House Committee
JOHN C. RHODES
Chairman, Senate Committee

Report adopted.

BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House the following bills: Senate Files 1008, 1030 and 1087.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 6, 1972, he approved and transmitted to the Secretary of State the following bills:

Senate File 392, an act relating to the eradication of hog cholera and the control and eradication of the swine diseases.

Senate File 471, an act relating to the annual registration fee for urban transit company vehicles.

REPORT OF COMMITTEE

Den Herder of Sioux, from the committee on ways and means, submitted the following report:

MR. SPEAKER: Your committee on ways and means, to whom was referred Senate File 1096, a bill for an act relating to tax assessment procedures, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same do pass.

DEN HERDER of Sioux, Chairman

AMENDMENTS FILED

- 1 Amend the Senate amendment to House File 6 as found
- 2 on pages 817 through 820 of the House Journal of
- 3 February 28, 1972 as follows:

- 4 1. By inserting the following after line 100:
 5 "20. Page 9, line 13, by striking the numerals
 6 '1971' and inserting in lieu thereof the numerals
 7 '1972'."
 8 2. By renumbering the amendments to conform to
 9 this amendment.

CAMP of Clinton

- 1 Amend Senate File 1169, as passed by the Senate,
 2 page 2, by inserting after line 6 the following new
 3 section:
 4 Sec. 2. Section four hundred twenty-two point
 5 nine (422.9), subsection two (2), paragraph b, Code
 6 1971, is amended as follows:
 7 b. Add the amount of federal income taxes paid or
 8 accrued as the case may be, during the tax year,
 9 adjusted by any federal income tax refunds. Provided,
 10 however, that where married persons, who have filed a
 11 joint federal income tax return, file separately, such
 12 total shall be divided between them according to the
 13 portion thereof paid or accrued, as the case may be,
 14 by each; and provided further that [where a taxpayer
 15 has used an optional standard deduction on his federal
 16 return, he shall use the optional standard deduction
 17 provided for above.] *a taxpayer shall use an optional
 18 standard deduction as provided for above if the
 19 taxpayer files on a standard deduction basis for
 20 federal tax purposes; or if the taxpayer's federal
 21 itemized deductions are less than his allowable limit
 22 provided for by the federal standard deduction.*
 23 *The provisions of this section shall be effective
 24 for tax periods ending on or after December 31, 1972.*

CURTIS of Cherokee
 DEN HERDER of Sioux
 ROORDA of Jasper

- 1 Amend the Senate amendment to House File 1147 as
 2 follows:
 3 1. Line 112, by striking the word "home"
 4 and inserting in lieu thereof the word "residence".
 5 2. Line 113, by striking the word "home"
 6 where it appears in two places, and inserting in lieu
 7 thereof the word "residence" in both places.

SMALL of Johnson

- 1 Amend House File 1235 as follows:
 2 Page 2, by striking lines 7 through 23 and
 3 inserting in lieu thereof the following:
 4 "Upon written application to the state conservation
 5 commission filed by an owner or a tenant operator, or
 6 both the owner and tenant, of a farm unit of ten acres
 7 or more in size, the commission shall issue to the
 8 owner or tenant, or both, a special license to hunt
 9 deer, for a fee of five dollars for each special
 10 license. Special licenses shall be valid anywhere in

11 that zone in which the farm unit is located, and not
 12 more than two special licenses shall be issued for
 13 any one farm unit."

TIEDEN of Clayton
 MILLEN of Van Buren
 PRIEBE of Kossuth

1 Amend House File 1277, page 1, by striking
 2 all of lines 10 and 11 and substituting in lieu
 3 thereof the words "or entities."

LIPSKY of Linn

1 Amend House File 1280 as follows:
 2 Page 2, by striking lines 1 through 13 and insert-
 3 ing in lieu thereof the following:
 4 "Section 1. There is appropriated from the general
 5 fund of the state to the state board of regents for
 6 use by the university of northern Iowa for the fiscal
 7 year beginning July 1, 1972 and ending June 30, 1973,
 8 the sum of five hundred forty-three thousand
 9 (543,000) dollars, or so much thereof as is necessary,
 10 to be used for salaries, support, maintenance, equip-
 11 ment and miscellaneous purposes."

EGENES of Story

1 Amend House File 1280 by adding the following
 2 new section:
 3 "Sec. There is appropriated from the gen-
 4 eral fund of the state to the state board of regents
 5 for the fiscal year beginning July 1, 1972, and
 6 ending June 30, 1973, in addition to appropriations
 7 for the biennium beginning July 1, 1971, and ending
 8 June 30, 1973, the sum of five hundred thousand
 9 (500,000) dollars for the medical and surgical treat-
 10 ment of indigent patients as provided in chapter
 11 two hundred fifty-five (255) of the Code."

BRAY of Scott

1 Amend House File 1280 by adding the following
 2 new section:
 3 "Sec. There is appropriated from the gen-
 4 eral fund of the state to the state board of regents
 5 for the fiscal year beginning July 1, 1972, and
 6 ending June 30, 1973, in addition to appropriations
 7 for the biennium beginning July 1, 1971, and ending
 8 June 30, 1973, the sum of seven hundred twenty
 9 thousand (720,000) dollars for the establishment of
 10 four (4) Area Health Education Centers by the State
 11 University of Iowa.

KENNEDY of Chickasaw
 LARSON of Story

1 Amend House File 1283, page 2, line 2, by insert-
 2 ing after the word "allowed" the words " , and to

- 3 *provide suitable withholding requirements in each*
 4 *state, in order to implement the exclusions”.*

CAMP of Clinton
 SHAW of Scott
 MENDENHALL of Allamakee

- 1 Amend House File 1287 as follows:
 2 1. Page 16, by adding after line 15 the follow-
 3 ing new section:
 4 “Sec. 33. INTRASTATE APPLICATION. This Act
 5 applies if both the obligee and the obligor are in
 6 this State but in different counties. If the court
 7 of the county in which the petition is filed finds
 8 that the petition sets forth facts from which it may
 9 be determined that the obligor owes a duty of support
 10 and finds that a court of another county in this State
 11 may obtain jurisdiction over the obligor or his pro-
 12 perty, the clerk of the court shall send the petition
 13 and a certification of the findings to the court of
 14 the county in which the obligor or his property is
 15 found. The clerk of the court of the county receiv-
 16 ing these documents shall notify the prosecuting at-
 17 torney of their receipt. The prosecuting attorney and
 18 the court in the county to which the copies are for-
 19 warded then shall have duties corresponding to those
 20 imposed upon them when acting for this State as a re-
 21 sponding State.”

- 22 2. By renumbering the remaining sections.

KNOKE of Pottawattamie

- 1 Amend House File 1288 as follows:
 2 1. Page 2, by inserting in line 25 after the word
 3 “writing” the words “executed within three hundred
 4 sixty-five days prior to the date of the requested
 5 recording and”.
 6 2. Page 2, by inserting after the period in line
 7 28 the following new sentence:
 8 “If any deed, instrument, or writing by which any
 9 property in this state is conveyed was executed more
 10 than three hundred sixty-five days prior to the date
 11 it is submitted at the office of the county recorder
 12 for recordation, it may be recorded by the buyer or
 13 his agent by filing an affidavit stating that the
 14 seller or his agent is not available to execute a
 15 declaration of value.”

DOYLE of Woodbury

- 1 Amend House File 1288, page 2, by inserting in
 2 line 8 after the word “buyers” the words “or their
 3 agents”.

DOYLE of Woodbury
 FISHER of Greene

On motion by Varley of Adair, the House adjourned until 9:00
 a.m., Tuesday, March 7, 1972.

JOURNAL OF THE HOUSE

Fifty-eighth Calendar Day—Forty-second Session Day

HALL OF THE HOUSE OF REPRESENTATIVES
DES MOINES, IOWA, TUESDAY, MARCH 7, 1972

The House met pursuant to adjournment, Speaker Harbor in the chair.

Prayer was offered by the Reverend Jim Diehl, pastor of the First Church of the Nazarene, Oskaloosa, Iowa.

The Journal of Monday, March 6, 1972, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Robert Martin, Cedar Rapids, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Menefee of Fayette on request of Middleswart of Warren.

PRESENTATION OF VISITORS

Winkelman of Calhoun presented to the House the Honorable Lawrence Putney, former member of the House during the Fifty-first, Fifty-second, Fifty-second Extra, Fifty-third and Fifty-fourth General Assemblies, serving as Speaker pro tempore during the Fifty-fourth General Assembly, and state Senator during the Fifty-fifth, Fifty-sixth, Fifty-seventh and Fifty-eighth General Assemblies.

The Speaker announced that the following visitors were present in the House chamber:

Sixty-two eighth grade students from Lake City School, Lake City, Iowa, accompanied by Bob Core. By Winkelman of Calhoun.

Thirty-one Y.W.C.A. students from Waterloo and Black Hawk County, accompanied by Barbara Johnson. By Hansen of Black Hawk.

Forty fifth grade students from Olmstead School, Urbandale, Iowa, accompanied by Mrs. Margie Kraft. By Willits of Polk.

Forty-five students from North Mahaska School, accompanied by Mrs. Anita Seitsinger, Gene Van Wyk, Albert Stewart and Keith Miller. By Pierson of Mahaska.

Twenty-five eighth grade students from Dallas Community School, Dallas Center, Iowa, accompanied by Ron Graham and Louie McClure. By Rodgers of Dallas.

Thirty-seven junior students from Maquoketa School, Maquoketa, Iowa, accompanied by Charles Sheridan. By Norpel of Jackson.

The eighth grade American history class from Union-Whitten School, Union, Iowa, accompanied by Mrs. Henderks. By Welden of Hardin.

Twenty-nine eighth grade students from the Oskaloosa Christian Grade School, Oskaloosa, Iowa, accompanied by Mr. Stackenbury. By Pierson of Mahaska.

Fifty-seven eighth grade students from Starmont School, Strawberry Point, Iowa. By Tieden of Clayton, Menefee of Fayette and Patton of Buchanan.

Fifty-two senior students from Centerville High School, Centerville, Iowa, accompanied by James Fenton and Merle Houser. By Moffitt of Appanoose.

Sixty senior government class students from Johnston High School, Johnston, Iowa, accompanied by Mr. Pitz. By Willits of Polk.

Fourteen senior distributive education students from Decorah High School, Decorah, Iowa, accompanied by Richard Gaard. By Mendenhall of Allamakee.

Twenty-five government class students from Harlan Community School, Harlan, Iowa, accompanied by Ted Williams. By Nielsen of Shelby.

PETITIONS FILED

The following petitions were received and placed on file:

By Mollett of Pottawattamie from eighty-four citizens of Pottawattamie County requesting a change in the deer hunting laws of Iowa.

By Mollett of Pottawattamie from two hundred fifteen residents of Pottawattamie County opposing Senate File 356, relating to the proposed handgun permit and registry law.

ADOPTION OF COMMITTEE REPORT

The Chief Clerk announced the adoption of report of committee on Senate File 1096, under Rule 35.

INTRODUCTION OF BILL

House File 1293, by committee on appropriations, a bill for an act to appropriate funds to the state highway commission for designated capital improvement programs.

Read first time and placed on the appropriations calendar.

SENATE MESSAGE CONSIDERED

Senate File 1132, a bill for an act correcting erroneous, inconsistent, and obsolete sections of the Code of Iowa, including some penalty sections.

Read first time and referred to the sifting committee.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has adopted the following concurrent resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 111, providing for sine die adjournment of the Sixty-fourth General Assembly.

Also: That the Senate has adopted the following concurrent resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 113, providing that the General Assembly recognize the time spent by various organizations in improving the path from Blair to Bellevue and encourage them to continue until desired results are obtained.

Also: That the Senate has adopted the following concurrent resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution 43, authorizing the Commissioner of Public Safety to rescind the rules requiring operators of motorcycles to wear protective headgear, glasses or face masks.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File 1184, a bill for an act relating to the payment of the tax equivalent on industrial projects supported by cities and towns.

CARROLL A. LANE, Secretary

SENATE CONCURRENT RESOLUTION 111

By Lamborn

Be It Resolved by the Senate, the House Concurring: That the Sixty-fourth General Assembly adjourn sine die at five o'clock p.m., Friday, March 10, 1972.

Laid over under Rule 25.

SENATE CONCURRENT RESOLUTION 113

By Griffin

Whereas, the Missouri River is part of the pioneer legacy bequeathed to those people who reside in the heart of America; and

Whereas, the Missouri River can once again bring hours of pleasure into the lives of many; and

Whereas, the cities of Council Bluffs, Bellevue, and Omaha, and the counties of Pottawattamie, Mills, Douglas, Sarpy, and Washington, representatives of Mayor Eugene A. Leahy's committee on Economic Development, the Omaha Chamber of Commerce, the Omaha Industrial Foundation, the Douglas County Soil and Water Conservation Committee, University of Nebraska and private business and industry have given hours of time to bring forth a workable plan for developing scenic parkways, linear parks, better places for people to live and make a living in harmony with the river, environmental improvement, and wildlife refuges, *Now Therefore*,

Be It Resolved by the Senate, the House Concurring, That the General Assembly recognizes the time spent by the various organizations, committees, businesses and industry in improving the fifty-four mile path from Blair to Bellevue and commend them for their fine thoughts and works and encourage them to continue until the desired results are obtained.

Laid over under Rule 25.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 121

Ewell of Black Hawk called up for consideration **House Concurrent Resolution 121** filed on March 1, 1972, and found on page 868 of the House Journal and moved its adoption.

Motion prevailed and the resolution was adopted.

CONSIDERATION OF BILLS

BUSINESS PENDING

The House resumed consideration of **Senate File 470**, a bill for an act relating to deferred compensation for government employees as amended by the committee on appropriations amendment.

By unanimous consent, the following amendments were withdrawn:

The amendment filed by Andersen of Woodbury and Fisher of Greene on February 7, 1972, and found on page 309 of the House Journal.

The amendment filed by Fisher-Schmeiser-Schroeder on March 1, 1972, and found on page 901 of the House Journal.

The amendment filed by Andersen of Woodbury on January 27, 1972, and found on page 207 of the House Journal.

The amendment filed by Freeman of Buena Vista on January 28, 1972, and found on page 219 of the House Journal and the amendment filed by him on January 27, 1972, and found on page 207 of the House Journal.

The amendment filed by Uban of Black Hawk on January 28, 1972, and found on page 219 of the House Journal.

The amendment filed by Kreamer of Polk on January 26, 1972, and found on pages 191 and 192 of the House Journal.

Fisher of Greene moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

Under the provisions of Rule 71, Hansen of Black Hawk, Hill of Polk and Clark of Lee refrained from voting.

On the question "Shall the bill pass?" (S.F. 470)

The ayes were, 71:

Anania	Grassley	Miller	Scott
Bergman	Hamilton	Moffitt	Shaw
Blouin	Holden	Mollett	Siglin
Bray	Husak	Monroe	Small
Camp	Jesse	Nielsen	Sorg
Christensen	Johnston	Norpel	Stanley
Cochran	Kelly	Nystrom	Strand
Curtis	Kennedy	Patton	Stromer
Den Herder	Kinley	Pellett	Taylor
Dougherty	Kreamer	Pierson	Tieden
Doyle	Kruse	Priebe	Trowbridge
Drake	Larson	Rex	Uban
Dunton	Lipsky	Rodgers	Varley
Egenes	Logemann	Roorda	Wang
Ellsworth	McCormick	Sargisson	Wells
Ewell	McElroy	Schmeiser	Willits
Fisher, C. R.	Mendenhall	Schwartz	Wyckoff
Gluba	Middleswart	Schwieger	

The nays were, 14:

Andersen	Freeman	Radl	Winkelman
Campbell	Kehe	Strothman	Wirtz
Edelen	Knoke	Welden	Mr. Speaker
Fischer, H. O.	Millen		

Absent or not voting, 15:

Alt	Goode	Lawson	Schroeder
Bennett	Hansen	Mayberry	Skinner
Clark	Hill	Menefee	Stokes
Franklin	Knoblauch	Pelton	

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

SIFTING COMMITTEE CALENDAR

House File 1269, a bill for an act amending the state school foundation program in chapter one hundred sixty-five (165), Acts of the Sixty-fourth General Assembly, First Session, by including in the definition of fall enrollment those resident pupils attending public schools in another district or state and out-of-state pupils attending public schools in the district, and including attendance at special education programs as well as classes; excluding from miscellaneous income reimbursement received from programs provided under section two hundred fifty-seven point twenty-six (257.26) of the Code; permitting a school district to increase its costs for the single school year beginning July 1, 1972, by the amount its federal aid increases over the previous year, and to exclude the increased amount from miscellaneous income; excluding from miscellaneous income beginning July 1, 1973, all federal aids and reimbursements; correcting the definition of district cost and defining total expenditures for the current year; clarifying the method of determining maximum district cost; correcting the method of determining additional school district property tax levy; redefining the procedure for the school budget review committee to authorize an increase in maximum millage when a non-public school closes; clarifying the duties of the school budget review committee in reviewing school budgets; and correcting the limitation on costs incurred under section two hundred fifty-seven point twenty-six (257.26) of the Code, for which reimbursement may be claimed, with report of committee recommending passage, was taken up for consideration.

Grassley of Butler moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1269)

The ayes were, 88:

Anania	Gluba	Mendenhall	Shaw
Andersen	Grassley	Middleswart	Siglin
Bergman	Hamilton	Millen	Skinner
Blouin	Hansen	Miller	Small
Bray	Hill	Moffitt	Sorg
Camp	Holden	Mollett	Stanley
Campbell	Husak	Monroe	Strand
Christensen	Jesse	Nielsen	Stromer
Clark	Johnston	Norpel	Strothman
Cochran	Kehe	Nystrom	Taylor
Curtis	Kelly	Patton	Tieden
Den Herder	Kennedy	Pellett	Trowbridge
Dougherty	Kinley	Pierson	Uban
Doyle	Knoblauch	Priebe	Varley
Drake	Knoke	Radl	Waugh
Dunton	Kreamer	Rex	Welden
Egenes	Kruse	Rodgers	Wells
Ellsworth	Larson	Roorda	Willits
Ewell	Lipsky	Sargisson	Winkelman
Fischer, H. O.	Logemann	Schmeiser	Wirtz
Fisher, C. R.	McCormick	Schroeder	Wyckoff
Freeman	McElroy	Scott	Mr. Speaker

The nays were, 1:

Schwartz

Absent or not voting, 11:

Alt	Franklin	Mayberry	Schwieger
Bennett	Goode	Menefee	Stokes
Edelen	Lawson	Pelton	

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

WAYS AND MEANS CALENDAR

House File 1283, a bill for an act relating to income tax of non-residents, was taken up for consideration.

Camp of Clinton offered the following amendment filed by Camp-Shaw-Mendenhall and moved its adoption:

Amend House file 1283, page 2, line 2, inserting after the word "allowed" the words "*and to provide suitable withholding requirements in each state, in order to implement the exclusions*".

The amendment was adopted.

Drake of Muscatine in the chair at 10:33 a.m.

Mendenhall of Allamakee moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1283)

The ayes were, 98:

Anania	Hamilton	Millen	Shaw
Andersen	Hansen	Miller	Siglin
Bergman	Harbor	Moffitt	Skinner
Blouin	Hill	Mollett	Small
Bray	Holden	Monroe	Sorg
Camp	Husak	Nielsen	Stanley
Campbell	Johnston	Norpel	Strand
Christensen	Kehe	Nystrom	Stromer
Clark	Kelly	Patton	Strothman
Cochran	Kennedy	Pellett	Taylor
Curtis	Kinley	Pelton	Tieden
Den Herder	Knoblauch	Pierson	Trowbridge
Dougherty	Knoke	Priebe	Uban
Doyle	Kreamer	Radl	Varley
Dunton	Kruse	Rex	Waugh
Edelen	Larson	Rodgers	Welden
Egenes	Lawson	Roorda	Wells
Ellsworth	Lipsky	Sargisson	Willits
Ewell	Logemann	Schmeiser	Winkelman
Fisher, C. R.	Mayberry	Schroeder	Wirtz
Franklin	McCormick	Schwartz	Wyckoff
Freeman	McElroy	Schwieger	Mr. Speaker
Gluba	Mendenhall	Scott	(Drake)
Grassley	Middleswart		

The nays were, none.

Absent or not voting, 7:

Alt	Fischer, H. O.	Jesse	Stokes
Bennett	Goode	Menefee	

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

SENATE FILE 1101 DEFERRED

Senate File 1101, a bill for an act relating to the taxation of real estate transfers and the penalty for failure to comply, with report of committee recommending passage, was taken up for consideration.

Speaker Harbor in the chair at 11:40 a.m.

Fisher of Greene asked for unanimous consent that Senate File 1101 be deferred and that the bill retain its place on the calendar.

Objection was raised.

Skinner of Polk moved that Senate File 1101 be tabled.

Freeman of Buena Vista rose on a point of order that the Skinner motion was out of order.

The Speaker ruled the point well taken.

Fischer of Grundy moved that Senate File 1101 be tabled.

A non-record roll call was requested.

The ayes were 28, nays 57.

The motion lost.

Fisher of Greene moved that Senate File 1101 be deferred, and that the bill be retained on the calendar under unfinished business.

A non-record roll call was requested.

The ayes were 59, nays 28.

The motion prevailed.

The House was recessed until 1:30 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Harbor in the chair.

MESSAGES FROM THE SENATE

MR. SPEAKER: I am directed to inform your honorable body that the Senate has concurred in House amendment to and passed the following bill in which the concurrence of the Senate was asked:

Senate File 260, a bill for an act relating to weather modification in counties.

Also: That the Senate has concurred in House amendment to and passed the following bill in which the concurrence of the Senate was asked:

Senate File 593, a bill for an act appropriating to the executive council for the college of osteopathic medicine.

CARROLL A. LANE, Secretary

CONSIDERATION OF BILLS

WAYS AND MEANS CALENDAR

House File 1288, a bill for an act providing for the full disclosure of the sales price in real estate transfers and providing penalties for violations of this Act, was taken up for consideration.

Fisher of Greene offered the following amendment filed by him and Doyle of Woodbury and moved its adoption:

Amend House File 1288, page 2, by inserting in line 8 after the word "buyers" the words "or their agents".

The amendment was adopted.

Doyle of Woodbury offered the following amendment filed by him and moved its adoption:

Amend House File 1288 as follows:

1. Page 2, by inserting in line 25 after the word "writing" the words "executed within three hundred sixty-five days prior to the date of the requested recording and".

2. Page 2, by inserting after the period in line 28 the following new sentence:

"If any deed, instrument, or writing by which any property in this state is conveyed was executed more than three hundred sixty-five days prior to the date it is submitted at the office of the county recorder for recordation, it may be recorded by the buyer or his agent by filing an affidavit stating that the seller or his agent is not available to execute a declaration of value."

The amendment was adopted.

Doyle of Woodbury offered the following amendment from the floor and moved its adoption:

Amend House File 1288, page 3, by striking from lines 4 through 8, inclusive, the words "guilty of a misdemeanor and upon conviction shall be punished by a fine not exceeding one hundred dollars or by imprisonment in the county jail for a period not to exceed thirty days or be punished by both such fine and imprisonment" and inserting in lieu thereof the words "liable to a civil penalty of twenty-five dollars for each violation".

The amendment was adopted.

Jesse of Polk offered the following amendment from the floor and moved its adoption:

Amend House File 1288, page three (3) by striking lines nine (9) through fifteen (15) inclusive.

A non-record roll call was requested.

The ayes were 68, nays 15.

The amendment was adopted.

Fisher of Greene moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1288)

The ayes were, 67:

Alt	Fisher, C. R.	Mayberry	Siglin
Anania	Franklin	McCormick	Skinner
Andersen	Gluba	Mendenhall	Small
Bergman	Grassley	Middleswart	Sorg
Blouin	Hamilton	Moffitt	Stanley
Bray	Hansen	Mollett	Strand
Camp	Holden	Monroe	Tieden
Campbell	Jesse	Nielsen	Uban
Cochran	Johnston	Norpel	Varley
Den Herder	Kennedy	Patton	Waugh
Dougherty	Kinley	Pellett	Welden
Doyle	Knoblauch	Pierson	Wells
Drake	Knoke	Rex	Willits
Dunton	Kreamer	Roorda	Winkelman
Edelen	Larson	Schmeiser	Wyckoff
Egenes	Lawson	Schwartz	Mr. Speaker
Ellsworth	Lipsky	Shaw	

The nays were, 21:

Christensen	Husak	Pelton	Schroeder
Clark	Kehe	Priebe	Schwieger
Curtis	Kelly	Radl	Scott
Ewell	Logemann	Rodgers	Stromer
Fischer, H. O.	McElroy	Sargisson	Trowbridge
Freeman			

Absent or not voting, 12:

Bennett	Kruse	Miller	Strothman
Goode	Menefee	Nystrom	Taylor
Hill	Millen	Stokes	Wirtz

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

House File 1286, a bill for an act relating to the sale of real property owned by a school district, was taken up for consideration.

Ellsworth of Dubuque moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1286)

The ayes were, 89:

Alt	Cochran	Ewell	Husak
Anania	Curtis	Fischer, H. O.	Jesse
Andersen	Den Herder	Fisher, C. R.	Johnston
Bergman	Dougherty	Franklin	Kehe
Blouin	Doyle	Gluba	Kelly
Bray	Drake	Grassley	Kennedy
Camp	Dunton	Hamilton	Kinley
Campbell	Edelen	Hansen	Knoblauch
Christensen	Egenes	Hill	Knoke
Clark	Ellsworth	Holden	Kreamer

Larson	Patton	Schwartz	Tieden
Lipsky	Pellett	Schwieger	Trowbridge
Logemann	Pelton	Scott	Uban
Mayberry	Pierson	Shaw	Varley
McCormick	Priebe	Siglin	Waugh
McElroy	Radl	Skinner	Welden
Mendenhall	Rex	Small	Wells
Middleswart	Rodgers	Sorg	Willits
Moffitt	Roorda	Stanley	Winkelman
Monroe	Sargisson	Strand	Wirtz
Nielsen	Schmeiser	Stromer	Wyckoff
Norpel	Schroeder	Taylor	Mr. Speaker
Nystrom			

The nays were, none.

Absent or not voting, 11:

Bennett	Kruse	Millen	Stokes
Freeman	Lawson	Miller	Strothman
Goode	Menefee	Mollett	

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

HOUSE FILE 1159 WITHDRAWN

Ellsworth of Dubuque asked and received unanimous consent to withdraw House File 1159 from further consideration by the House.

SENATE AMENDMENT CONSIDERED

Holden of Scott called up for consideration House File 30, a bill for an act relating to the inspection of pipeline construction over private property, amended by the Senate as follows:

Amend House File 30 by striking lines 4 through 12, inclusive, on page 1 and inserting in lieu thereof the following:

Section 1. Section four hundred ninety point four (490.4), Code 1971, is amended by adding the following new paragraphs:

"A board of supervisors may, by majority vote, submit a request in writing to the commission requesting that the services of a qualified inspector be provided to adequately inspect pipeline construction within that county. Upon receipt of the request, the commission shall make such inspector available. All costs of inspection shall be paid pursuant to section four hundred ninety point fourteen (490.14) of the Code.

As a part of the inspection process, the inspector shall, if provided by the easement contract, ascertain that the trench excavation has been filled in such a manner as to provide that the top soil has been replaced on top and all rocks and debris have been removed from the top soil.

Adequate inspection of underground improvements altered during construction of pipeline shall be conducted at the time of

the replacement or repair of such underground improvements.

All faulty construction, as determined by the inspector, shall be repaired immediately by the contractor operating for the pipeline company and the cost of such repairs shall be paid by said contractor. If such repairs are not made by contractor, the commission shall proceed to collect under the provisions of section four hundred ninety point twenty-seven (490.27) of the Code."

Sec. 2. Section four hundred ninety point twenty-seven (490.27), Code 1971, is amended as follows:

490.27 FINANCIAL CONDITION OF PERMITEE—BOND. Before any permit is granted under the provisions of this chapter the applicant must satisfy the state commerce commission that the applicant has property within this state other than pipe lines, subject to execution of a value in excess of fifty thousand dollars, or said applicant must file and maintain with said commission a surety bond in the penal sum of fifty thousand dollars with a surety approved by the commission, conditioned that said applicant will pay any and all damages legally recovered against it growing out of the *construction or operation* of its said pipe line and gas storage facilities in the state of Iowa. When such pipe-line company deposits with said state commerce commission security satisfactory to said commission as a guaranty for the payment of said damages, or furnishes to said commission satisfactory proofs of its solvency and financial ability to pay said damages, the said pipeline company shall be relieved of the said provisions requiring bond.

Fischer of Grundy offered the following amendment to the Senate amendment, filed by Fischer, et al., and moved its adoption:

Amend the Senate amendment to House File 30 by striking lines 12 through 16.

Roll call was requested by Blouin of Dubuque and Johnston of Johnson.

On the question "Shall the amendment to the Senate amendment be adopted?"

The ayes were, 22:

Edelen	Kehe	McElroy	Skinner
Ellsworth	Kelly	Monroe	Stanley
Fischer, H. O.	Kinley	Nielsen	Strand
Fisher, C. R.	Kreamer	Rodgers	Waugh
Freeman	Larson	Shaw	Welden
Hill	Lipsky		

The nays were, 61:

Anania	Campbell	Drake	Hamilton
Andersen	Clark	Dunton	Hansen
Bergman	Cochran	Egenes	Holden
Blouin	Curtis	Ewell	Husak
Bray	Den Herder	Gluba	Jesse
Camp	Dougherty	Grassley	Johnston

Kennedy	Patton	Schmeiser	Trowbridge
Knoke	Pellett	Schroeder	Uban
Logemann	Pelton	Schwartz	Varley
Mayberry	Pierson	Scott	Wells
Mendenhall	Priebe	Siglin	Willits
Middleswart	Radl	Small	Winkelman
Moffitt	Rex	Sorg	Wirtz
Mollett	Roorda	Stromer	Wyckoff
Norpel	Sargisson	Taylor	Mr. Speaker

Absent or not voting, 17:

Bennett	Knoblauch	Menefee	Schwieger
Christensen	Kruse	Millen	Stokes
Doyle	Lawson	Miller	Strothman
Franklin	McCormick	Nystrom	Tieden
Goode			

The amendment to the Senate amendment lost.

Fischer of Grundy offered the following amendment to the Senate amendment:

Amend the Senate amendment to House File 30 by inserting after the word "pipeline" in line eight (8) the following:

" , underground cable or wiring, sewage line or tile drainage line".

Skinner of Polk rose on a point of order that the amendment was not germane.

The Speaker ruled the point well taken.

Holden of Scott moved that the House concur in the Senate amendment.

The motion prevailed and the House concurred in the Senate amendment.

Holden of Scott moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its repassage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 30)

The ayes were, 79:

Alt	Cochran	Freeman	Kinley
Anania	Curtis	Gluba	Knoblauch
Andersen	Den Herder	Grassley	Knoke
Bergman	Dougherty	Hamilton	Larson
Blouin	Doyle	Holden	Lipsky
Bray	Drake	Husak	Longemann
Camp	Dunton	Jesse	Mayberry
Campbell	Egenes	Johnston	McCormick
Christensen	Ellsworth	Kelly	McElroy
Clark	Ewell	Kennedy	Mendenhall

Middleswart	Priebe	Shaw	Trowbridge
Moffitt	Radl	Siglin	Varley
Mollett	Rex	Skinner	Waugh
Monroe	Rodgers	Small	Wells
Nielsen	Roorda	Sorg	Willits
Norpel	Sargisson	Stanley	Winkelman
Patton	Schmeiser	Strand	Wirtz
Pellett	Schroeder	Stromer	Wyckoff
Pelton	Schwartz	Strothman	Mr. Speaker
Pierson	Scott	Taylor	

The nays were, 7:

Edelen	Fisher, C. R.	Kreamer	Welden
Fischer, H. O.	Kehe	Uban	

Absent or not voting, 14:

Bennett	Hill	Millen	Schwieger
Franklin	Kruse	Miller	Stokes
Goode	Lawson	Nystrom	Tieden
Hansen	Menefee		

The bill having received a constitutional majority was declared to have repassed the House and the title was agreed to.

On the question "Shall the bill pass?" (S.F. 1069)

SIFTING COMMITTEE CALENDAR

Senate File 1069, a bill for an act relating to terms of office of county superintendent of schools, with report of committee recommending passage, was taken up for consideration.

Stromer of Hancock moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

The ayes were, 83:

Alt	Fisher, C. R.	McElroy	Siglin
Anania	Freeman	Mendenhall	Skinner
Andersen	Gluba	Middleswart	Small
Bergman	Grassley	Moffitt	Sorg
Blouin	Hamilton	Mollett	Stanley
Bray	Hill	Monroe	Strand
Camp	Holden	Nielsen	Stromer
Campbell	Husak	Norpel	Strothman
Christensen	Jesse	Patton	Taylor
Clark	Johnston	Pellett	Trowbridge
Cochran	Kehe	Pierson	Uban
Curtis	Kelly	Radl	Varley
Den Herder	Kinley	Rex	Waugh
Dougherty	Knoblauch	Rodgers	Welden
Doyle	Knoke	Roorda	Wells
Drake	Kreamer	Sargisson	Willits
Dunton	Larson	Schmeiser	Winkelman
Edelen	Lawson	Schroeder	Wirtz
Ellsworth	Lipsky	Schwartz	Wyckoff
Ewell	Logemann	Scott	Mr. Speaker
Fischer, H. O.	Mayberry	Shaw	

The nays were, none.

Absent or not voting, 17:

Bennett	Kennedy	Millen	Priebe
Egenes	Kruse	Miller	Schwieger
Franklin	McCormick	Nystrom	Stokes
Goode	Menefee	Pelton	Tieden
Hansen			

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

HOUSE FILE 1242 DEFERRED

House File 1242, a bill for an act to establish a commission on salaries for elective state officials, was taken up for consideration.

Cochran of Webster offered the following amendment filed by him:

Amend House File 1242 as follows:

1. Page 1, line 1, by striking the word "salaries" and inserting in lieu thereof the words "compensation and expenses".
2. Page 2, line 2, by striking the word "salaries" and inserting in lieu thereof the words "compensation and expenses".
3. Page 2, line 29, by inserting before the word "received" the words "and expenses".
4. Page 2, lines 31 and 32, by striking the word "salaries" wherever it appears and inserting in lieu thereof the words "compensation and expenses".
5. Page 2, line 35, by striking the word "salary" and inserting in lieu thereof the words "compensation and expense".
6. Page 3, line 5, by inserting before the second word "for" the words "and expenses".
7. Page 3, line 7, by striking the word "salaries" and inserting in lieu thereof the words "compensation and expenses".

(House File 1242 and Cochran amendment deferred.)

MOTION TO RECONSIDER LOST

(Senate File 334)

Knoke of Pottawattamie called up for consideration his motion to reconsider Senate File 334 filed on March 1, 1972, and found on page 867 of the House Journal.

Schroeder of Pottawattamie moved to reconsider the vote by which Senate File 334, a bill for an act relating to the vending of foods and beverages and providing a penalty, passed the House on February 29, 1972.

A non-record roll call was requested.

The ayes were 42, nays 45.

The motion lost.

SENATE AMENDMENT CONSIDERED

Lawson of Cerro Gordo called up for consideration **House File 367**, a bill for an act relating to joint planning commissions, amended by the Senate, and moved that the House concur in the following Senate amendment:

Amend House File 367, as passed by the House, by adding after line 19 the following new sections:

"Sec. Section four hundred seventy-three A point four (473A.4), Code 1971, is amended by adding the following new paragraph:

A planning commission formed under the provisions of this chapter shall, upon designation as such by the governor, serve as a district, regional or metropolitan agency for comprehensive planning for its area for the purpose of carrying out the functions as defined for such an agency by federal, state and local laws and regulations."

"Sec. Chapter twenty-eight E (28E), Code 1971, is amended by adding the following new section:

A planning commission, council of governments or similar organization formed under the provisions of this chapter shall, upon designation as such by the governor, serve as a district, regional or metropolitan agency for comprehensive planning for its area for the purpose of carrying out the functions as defined for such agency by federal, state and local laws and regulations."

"Sec. This Act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Hampton Chronicle, a newspaper published in Hampton, Iowa, and in the Chariton Herald-Patriot, a newspaper published in Chariton, Iowa."

Motion prevailed and the House concurred in the Senate amendment.

Lawson of Cerro Gordo moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its repassage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 367)

The ayes were, 86:

Alt	Freeman	McCormick	Scott
Anania	Gluba	McElroy	Shaw
Andersen	Grassley	Mendenhall	Siglin
Bergman	Hamilton	Middleswart	Skinner
Blouin	Hill	Moffitt	Small
Camp	Holden	Mollett	Sorg
Campbell	Husak	Monroe	Stanley
Christensen	Jesse	Nielsen	Strand
Clark	Johnston	Norpel	Stromer
Cochran	Kehe	Patton	Strothman
Curtis	Kelly	Pellett	Taylor
Den Herder	Kennedy	Pelton	Trowbridge
Dougherty	Kinley	Pierson	Varley
Doyle	Knoblauch	Radl	Waugh
Drake	Knoke	Rex	Welden
Dunton	Kreamer	Rodgers	Wells
Edelen	Kruse	Roorda	Willits
Egenes	Larson	Sargisson	Winkelman
Ellsworth	Lawson	Schroeder	Wirtz
Ewell	Lipsky	Schwartz	Wyckoff
Fischer, H. O.	Logemann	Schwieger	Mr. Speaker
Fisher, C. R.	Mayberry		

The nays were, 1:

Uban

Absent or not voting, 13:

Bennett	Hansen	Miller	Schmeiser
Bray	Menefee	Nystrom	Stokes
Franklin	Millen	Priebe	Tieden
Goode			

The bill having received a constitutional majority was declared to have repassed the House and the title was agreed to.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has refused to concur in the House amendment to the Senate amendment to House File 734, a bill for an act relating to junkyards along interstate and federal aid primary highways.

CARROLL A. LANE, Secretary

(HOUSE INSISTS)

(House File 734)

Welden of Hardin called up for consideration the Senate message on House File 734, a bill for an act relating to junkyards along interstate and federal aid primary highways, and moved that the House insist on the House amendment to the Senate amendment.

A non-record roll call was requested.

The ayes were 79, nays 2.

The motion prevailed and the House insists on its House amendment to the Senate amendment.

Kreamer of Polk in the chair at 4:24 p.m.

CONFERENCE COMMITTEE APPOINTED

(House File 734)

The Speaker announced the appointment of the conference committee to consider the differences between the House and Senate concerning House File 734: Welden of Hardin, chairman, Holden of Scott, Schwieger of Black Hawk and Ewell of Black Hawk.

SENATE FILE 202 RECONSIDERED

Campbell of Washington called up for consideration his motion to reconsider filed on February 18, 1972, and moved to reconsider the vote by which Senate File 202, a bill for an act relating to changing of names by individuals, failed to pass the House on February 18, 1972.

A non-record roll call was requested.

The ayes were 61, nays 21.

The motion prevailed.

Campbell of Washington moved that the vote by which Senate File 202 was placed on its last reading be reconsidered.

The motion prevailed.

Bergman of Osceola moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

Rule 70 was invoked.

On the question "Shall the bill pass?" (S.F. 202)

The ayes were, 65:

- | | | | |
|----------|------------|---------------|-----------|
| Alt | Curtis | Ewell | Kelly |
| Anania | Den Herder | Fisher, C. R. | Kennedy |
| Andersen | Dougherty | Gluba | Kinley |
| Bergman | Doyle | Grassley | Knoblauch |
| Blouin | Drake | Hamilton | Kruse |
| Camp | Dunton | Hill | Larson |
| Campbell | Edelen | Holden | Lipsky |
| Clark | Egenes | Jesse | Mayberry |
| Cochran | Ellsworth | Johnston | McCormick |

McElroy	Pierson	Siglin	Trowbridge
Mendenhall	Rex	Skinner	Uban
Millen	Rodgers	Small	Varley
Moffitt	Sargisson	Stanley	Wells
Mollett	Schwartz	Strand	Willits
Monroe	Schwieger	Stromer	Mr. Speaker
Nielsen	Scott	Strothman	(Kreamer)
Pelton	Shaw		

The nays were, 20:

Christensen	Logemann	Radl	Waugh
Fischer, H. O.	Middleswart	Roorda	Welden
Freeman	Norpel	Schroeder	Winkelman
Husak	Patton	Sorg	Wirtz
Knoke	Pellett	Tieden	Wyckoff

Absent or not voting, 15:

Bennett	Hansen	Menefee	Schmeiser
Bray	Harbor	Miller	Stokes
Franklin	Kehe	Nystrom	Taylor
Goode	Lawson	Priebe	

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

ADOPTION OF HOUSE CONCURRENT RESOLUTION 115

Camp of Clinton called up for consideration **House Concurrent Resolution 115** filed on February 23, 1972, and found on page 631 of the House Journal, and moved its adoption.

A non-record roll call was requested.

The ayes were 61, nays 16.

The resolution was adopted.

MOTION TO RECONSIDER

(House File 1272)

I move to reconsider the vote by which House File 1272 passed the House on March 6, 1972.

SCHROEDER of Pottawattamie

MOTION TO WITHDRAW FROM SIFTING COMMITTEE

(House File 725)

We move to have House File 725 withdrawn from the sifting committee and placed on the calendar.

TAYLOR of Dubuque
 LOGEMANN of Worth
 MIDDLESWART of Warren
 SCOTT of Cerro Gordo
 PATTON of Buchanan
 WAUGH of Monona
 RADL of Linn

REPORTS OF COMMITTEE

Camp of Clinton, from the committee on appropriations, submitted the following report:

MR. SPEAKER: Your committee on appropriations, to whom was referred Senate File 1182, a bill for an act to appropriate funds from the general fund of the State of Iowa to the Iowa crime commission for the purpose of matching federal funds to support certain activities within local government units, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same **do pass**.

CAMP of Clinton, Chairman

Also:

MR. SPEAKER: Your committee on appropriations, to whom was referred Senate File 1188, a bill for an act relating to the publication of educational and scientific reports by the state archaeologist, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same **do pass**.

CAMP of Clinton, Chairman

AMENDMENTS FILED

- 1 Amend Senate File 185, as amended and adopted by
- 2 the Senate, as follows:
- 3 1. Page 5, by inserting after line 20 the follow-
- 4 ing new section:
- 5 "Sec..... Section two hundred thirty point fifteen
- 6 (230.15), Code 1971, is amended as follows:
- 7 230.15 PERSONAL LIABILITY. Mentally ill persons
- 8 and persons legally liable for their support shall
- 9 remain liable for the support of such mentally ill.
- 10 Persons legally liable for the support of a mentally
- 11 ill person shall include the spouse[, father, mother,
- 12 and adult children] of [such] *the* mentally ill person,
- 13 [and] any person, firm, or corporation bound by contract
- 14 [hereafter made] for support *of the mentally ill person,*
- 15 *and, with respect to mentally ill persons under twenty-*
- 16 *one years of age only, the father and mother of the*
- 17 *mentally ill person.* The county auditor, subject
- 18 to the direction of the board of supervisors, shall
- 19 enforce the obligation herein created as to all sums
- 20 advanced by the county. *The liability to the county*
- 21 *incurred under this section on account of any mentally*
- 22 *ill person shall be limited to one hundred percent*
- 23 *of the cost of care and treatment of the mentally*
- 24 *ill person at a state mental health institute for*
- 25 *the first one hundred twenty days of hospitalization,*
- 26 *and thereafter to an amount not in excess of the*
- 27 *average minimum cost of the maintenance of a physically*
- 28 *and mentally healthy individual residing in his own*
- 29 *home, which standard shall be established and may*
- 30 *from time to time be revised by the department of*
- 31 *social services. No lien imposed by section two hun-*
- 32 *dred thirty point twenty-five (230.25) of the Code*

33 shall exceed the amount of the liability which may
 34 be incurred under this section on account of any
 35 mentally ill person.

36 Nothing in this section shall be construed to pre-
 37 vent a relative or other person from voluntarily pay-
 38 ing the full actual cost of the care and treatment
 39 of any mentally ill person as established by the
 40 department of social services.

41 Persons who as of July 1, 1971, are hospitalized
 42 in any state mental health institute, or who on that
 43 date or any later date have been so hospitalized for
 44 a total of one hundred twenty days or more, shall
 45 be considered to have incurred liability for one
 46 hundred percent of the cost of their care and treatment
 47 for one hundred twenty days, and shall thereafter
 48 be entitled to reduced liability as provided by this
 49 section. There shall be no forgiveness of any
 50 liability existing on July 1, 1971 for the cost of
 51 care and treatment of mentally ill persons, except
 52 as provided in section 230.17 and no person who has
 53 paid any such costs prior to that date shall be
 54 entitled to any refund by reason of this section.

55 2. By renumbering sections to conform to this
 56 amendment.

REX of Hamilton
 LIPSKY of Linn
 HOLDEN of Scott

1 Amend Senate File 1096, as amended and passed by
 2 the Senate, as follows:

3 1. By adding the following section after Sec. 2.

4 Sec. 3. Section four hundred twenty-eight point
 5 twenty-eight (428.28) of the Code is amended by adding
 6 thereto the following:

7 "Every individual, copartnership, corporation,
 8 association, city or town which operates a public
 9 utility on a non-profit basis, as defined in Section
 10 four hundred twenty-eight point twenty-four (428.24)
 11 of the Code, shall annually, on or before the first
 12 day of May of each calendar year, make a report on
 13 blanks to be provided by the department of revenue of
 14 all of the property owned by such individual, copart-
 15 nership, corporation, association, or city or town
 16 within the incorporated limits of any city or town
 17 in the state, and give such other information as the
 18 director of revenue shall require. Any public utility
 19 which reports according to this paragraph shall not be
 20 assessed."

21 2. By renumbering the subsequent sections and
 22 correcting cross references in accordance with this
 23 amendment.

HOLDEN of Scott
 KREAMER of Polk
 FISHER of Greene
 STROMER of Hancock

1 Amend Senate File 1096, as amended and passed by
2 the Senate, as follows:

3 1. Page 3, by inserting after line 11 the fol-
4 lowing new sections:

5 "Sec. Section four hundred twenty-one point
6 seventeen (421.17), Code 1971, is amended by adding
7 the following new subsection:

8 To issue rules and regulations as are necessary,
9 subject to the provisions of Chapter seventeen A
10 (17A) of the Code, to provide for the uniform appli-
11 cation of the exemptions provided in section four
12 hundred twenty-seven point one (427.1) of the Code
13 in all assessor jurisdictions in the state."

14 "Sec. Section four hundred twenty-seven
15 point one (427.1), Code 1971, as amended by chapter two
16 hundred fifteen (215), section one (1), Acts of the
17 Sixty-fourth General Assembly, First Session, is
18 amended by adding the following new subsection:

19 Each county and city assessor shall assess and
20 value all tax exempt property within his jurisdic-
21 tion. The list of tax exempt property shall contain
22 a legal description of the tax exempt property and
23 the name of the owner of the tax exempt property,
24 the market value of the tax exempt property, and the
25 assessed value of the tax exempt property. The list
26 of tax exempt property shall be filed with the di-
27 rector of revenue and the local board of review on
28 or before April sixteen of each year."

29 2. Renumber sections and correct internal refer-
30 ences as are necessary in accordance with this
31 amendment.

KREAMER of Polk
DEN HERDER of Sioux
ROORDA of Jasper

1 Amend Senate File 1101, as amended and passed by
2 the Senate, as follows:

3 1. Page 4, line 33, by striking the word "seventy-
4 five" and inserting in lieu thereof the word "fifty".

5 2. Page 4, by striking from lines 38 and 39 the
6 word "twenty-five" and inserting in lieu thereof the
7 word "fifty".

SCHWARTZ of Wapello

1 Amend the Senate amendment to House File 1037,
2 by striking in line 8 the figure "\$23,000.00" and
3 inserting in lieu thereof the figure "\$23,750.00".

UBAN of Black Hawk

1 Amend House File 1165, page 2, by striking lines
2 12 through 14 and inserting in lieu thereof the
3 following:

4 "transit or transportation, and upon the property".

ELLSWORTH of Dubuque

1 Amend House File 1242, page 3, by striking lines
2 6 through 8 inclusive and inserting in lieu thereof
3 the following:
4 "Sec. 5. The salaries or compensation and expenses
5 recommended by the commission and reported to the
6 governor and general assembly shall become effective
7 on July 1, 1973 and on July 1 following the report
8 of the commission, each two years thereafter, unless
9 the general assembly specifically disapproves all or
10 part of such recommendations and has, on or before
11 the effective date of those recommendations, enacted
12 into law a statute which establishes rates other than
13 those recommended by the commission."

JESSE of Polk
SKINNER of Polk
PELTON of Clinton
KELLY of Woodbury
KENNEDY of Chickasaw
KNOKE of Pottawattamie
MOLLETT of Pottawattamie
COCHRAN of Webster
LARSON of Story

1 Amend House File 1242 as follows:
2 1. By striking everything after
3 the enacting clause and inserting in lieu thereof the
4 following:
5 "Section 1. There is established a commission to be known
6 as the commission on compensation, expenses, and
7 salaries for elected state officials, hereinafter referred
8 to as 'the commission'. The commission shall be com-
9 posed of fifteen members, five of whom shall be appoint-
10 ed by the governor, five of whom shall be appointed by the
11 president of the senate, and five of whom shall be ap-
12 pointed by the speaker of the house of representatives.
13 Members of the commission shall be appointed without re-
14 gard to political affiliation and shall not be state
15 officials or employees, employees of any state depart-
16 ment, board, commission, or agency or of any political
17 subdivision of the state.
18 Sec. 2. Members of the commission shall serve for a
19 term of office of five years, and for the initial com-
20 mission, one member appointed by each shall be appoint-
21 ed to serve for five years, one for four years, one for
22 three years, one for two years, and one for one year.
23 Vacancies on the commission shall be filled for the
24 unexpired term in the same manner as the original ap-
25 pointment.
26 Sec. 3. Members of the commission shall serve without
27 compensation, but shall receive actual and necessary ex-
28 penses, including travel at the state rate. Payment
29 shall be made from funds available pursuant to section
30 two point twelve (2.12) of the Code, however, members
31 appointed by the governor shall be paid from funds
32 appropriated to the office of the governor.

33 Sec. 4. The commission shall elect its own chairman
 34 from among its membership and shall meet on the call of
 35 the chairman to review compensation and expenses re-
 36 ceived by members of the general assembly and salaries
 37 of the other elective state officials. The commission
 38 shall review compensation and expenses paid to members
 39 of the general assembly and salaries paid to other elective
 40 state officials, and shall review compensation, expenses,
 41 and salaries paid for comparable positions in other
 42 states, the federal government, and private enterprise.
 43 Based on such review and other factors deemed relevant,
 44 the commission shall make its determination as to
 45 compensation and expense levels for members of the
 46 general assembly and as to salary levels for other
 47 elective state officials to be recommended to the gov-
 48 ernor and the members of the general assembly. No la-
 49 ter than February 1, 1973, and each two years thereafter,
 50 the commission shall report to the governor and to the
 51 general assembly its recommendations for compensation
 52 and expenses for members of the general assembly and
 53 for salaries for other elective state officials.

54 Sec. 5. The general assembly shall consider the
 55 recommendations of the commission in determining
 56 compensation and expenses for members of the general
 57 assembly and salaries for other elective state officials."

58 2. Page 1, line 1, by inserting after the
 59 word, "on" the words "compensation, expenses, and".

COCHRAN of Webster
 CAMP of Clinton

1 Amend House File 1272, page 8, by inserting after
 2 line 6 the following new section:

3 Sec. 9. Section five hundred forty-three point
 4 thirty (543.30), Code 1971, is amended to read as
 5 follows:

6 543.30 INSPECTING AND GRADING. Grain, flaxseed,
 7 or any other fungible agricultural product stored in
 8 a warehouse licensed under this chapter *or an*
 9 *unlicensed warehouse pursuant to section five hundred*
 10 *forty-three point seventeen (543.17)*, for which no
 11 separate compartment is provided, and its identity
 12 preserved, shall be inspected and graded, *and the*
 13 *warehouseman, upon request, shall notify the*
 14 *depositor or his delivering agent of the grade prior*
 15 *to commingling it.*

SCHROEDER of Pottawattamie

1 Amend House File 1277 as follows:

2 1. Page 1, line 8, by inserting after the word
 3 "corporations," the word "municipality,".

4 2. Page 1, line 15, by inserting a comma after
 5 the word "valuations".

6 3. Page 2, line 1, by striking the word "but"
 7 and inserting in lieu thereof the word "and".

8 4. Page 2, line 3, by striking the word "not".

UBAN of Black Hawk

1 Amend House File 1280, line 10, after the word
 2 "dollars" the following words:
 3 "to be used for the establishment of a depart-
 4 ment of criminal justice".

LARSON of Story

1 Amend House File 1280 by adding the following
 2 new section:
 3 "Sec. There is appropriated from the
 4 general fund of the state to Iowa State University
 5 of Science and Technology agricultural experiment
 6 station the sum of three hundred thousand dollars
 7 (\$300,000.00) for research into finding new ways
 8 to use corn for commercial, medicinal and other
 9 purposes within and without the state. Unexpended
 10 appropriations shall revert to the general fund
 11 June 30, 1976."

PRIEBE of Kossuth
 COCHRAN of Webster

1 Amend House File 1291, page 4, by striking
 2 all of lines 1 through 5 and inserting in lieu
 3 thereof the following: "any administrative action
 4 which affects the general public or any member
 5 thereof, without regard to the finality of the
 6 administrative action. He shall not investigate
 7 the complaint of an employee of an agency in regard
 8 to that employee's employment relationship with
 9 the agency or concern himself with any matter involving
 10 the internal management of an agency which does not
 11 relate to the rights and procedures available to
 12 the public."

SHAW of Scott
 GRASSLEY of Butler

1 Amend House File 1291 as follows:
 2 1. Page 2, line 21, by striking the words "legis-
 3 lative council" and inserting in lieu thereof the word
 4 "governor".
 5 2. Page 2, line 24, by striking the words "legis-
 6 lative council" and inserting in lieu thereof the word
 7 "governor".
 8 3. Page 3, line 2, by striking the words "legis-
 9 lative council" and inserting in lieu thereof the word
 10 "governor".

CAMP of Clinton
 VARLEY of Adair
 LIPSKY of Linn
 PELTON of Clinton
 KREAMER of Polk
 SHAW of Scott
 SCHROEDER of Pottawattamie
 HILL of Polk

On motion by Varley of Adair, the House adjourned until 9:00
 a.m., Wednesday, March 8, 1972.

JOURNAL OF THE HOUSE

Fifty-ninth Calendar Day—Forty-third Session Day

HALL OF THE HOUSE OF REPRESENTATIVES
DES MOINES, IOWA, WEDNESDAY, MARCH 8, 1972

The House met pursuant to adjournment, Speaker Harbor in the chair.

Prayer was offered by the Reverend W. E. Dutton, pastor of the Westminster United Presbyterian Church, Waterloo, Iowa.

The Journal of Tuesday, March 7, 1972, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. George Kern, Des Moines, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Menefee of Fayette for the remainder of the week on request of Middlewart of Warren.

ADOPTION OF COMMITTEE REPORTS

The Chief Clerk announced the adoption of reports of committees on Senate Files 1182 and 1188, under Rule 35.

SPECIAL PRESENTATION

Tracy Casady, the Iowa Easter Seal Sweetheart for 1972, was escorted to the Speaker's Station and was presented to the House by Dougherty of Monroe. Tracy has been traveling the state of Iowa being interviewed by newspapers, radio and television and through the cooperation of her parents, Mr. and Mrs. Charles Casady of Albia, Iowa, is helping to raise \$325,000 for the Easter Seal Society for Crippled Children and Adults of Iowa, Inc.

Tracy is ten years old, a student in the fifth grade at Washington School in the Albia Community School District. Her last report card showed five A's and two B's. Her handicap was discovered just two days after her birth June 8, 1961. She has a reverse spina bifida.

Tracy was crowned the Iowa Easter Seal Sweetheart for 1972

on January 31 by Governor Ray. She will be joining the Pony Express on the final phase of the trail ride from Des Moines into Camp Sunnyside in the conclusion of the ride of saddle clubs throughout the state who "Ride that Crippled Children can Walk."

The House rose and extended its welcome.

PRESENTATION OF VISITORS

Campbell of Washington presented to the House the Honorable Keith L. Vetter, former member of the House during the Sixtieth, Sixtieth Extra and Sixty-second General Assemblies, representing Washington County.

Knoblauch of Carroll presented to the House the Honorable Everett Crane, former member of the House during the Fifty-ninth, Sixtieth and Sixtieth Extra General Assemblies representing Crawford County.

Waugh of Monona presented to the House Pay Hayward, an American Field Service Foreign Student from Moree, Australia.

Fisher of Greene presented to the House two YFU exchange students: Jacqueline Mendes dos Santos from Fortaleza, Brazil, who attends school in Grand Junction, Iowa, and Isabel Cristinado Amaral from Sao Jose do Rio Preto, Brazil, who attends school at Paton-Churdan School, Churdan, Iowa.

Knoblauch of Carroll presented to the House Brenda Garcia from Piura, Peru, an exchange student attending Carroll High School and Bill Tan from Manilla, Philippines, who is attending school at St. Bernards School, Breda, Iowa.

McElroy of Fremont presented to the House Hilde Tutterin, an American Field Service exchange student from Norway who is attending school at Shenandoah School, Shenandoah, Iowa.

The Speaker announced that the following visitors were present in the House chamber:

Five students from Hastings School, Nishna Valley, Iowa, accompanied by Mr. and Mrs. Vander Linden. By Harbor of Mills.

Seventy-five students from the Oskaloosa ninth grade government class, Oskaloosa, Iowa, accompanied by Mrs. Paul Scharff. By Pierson of Mahaska.

Fourteen 4-H students from Fremont County. By McElroy of Fremont.

Forty students from Perry and Southeast Polk VICA Club, accompanied by Tom South and Mike Harton. By Skinner of Polk and Rodgers of Dallas.

Sixty senior students from Centerville High School, Centerville, Iowa, accompanied by Mr. Fenton and Mr. Oglesby. By Moffitt of Appanoose.

Forty-one students of the Vocational Industrial Club of America from Des Moines Technical High School, Des Moines, Iowa, accompanied by Larry Card, Arthur Long and John Stalter. By Kreamer of Polk.

Eleven students from the VICA Club at Riverside High School, accompanied by Merle Oleson and Mrs. Atwood. By Doyle of Woodbury.

Eighty-five sixth grade students from McKinley School, Muscatine, Iowa, accompanied by Kenneth Huber, Mary Danfeldt, Carolyn Aerola, and JoAnn Durst. By Drake of Muscatine.

Forty Girl Scouts from Cadet Troop 20, Senior Troop 171 and Cadet Troop 57, Davenport, Iowa, accompanied by Mrs. Kay Steben, Mrs. Pat Peacock and Mrs. Ruth Arp. By Scott County delegation.

Thirty FFA students from Mid-Prairie, Wellman, Iowa, accompanied by eight adults. By Campbell of Washington.

Fifty-four civics class students from Pella Christian Grade School, Pella, Iowa, accompanied by Mrs. Vande Lune and Merl Alons. By Dougherty of Monroe.

Thirty junior high students from St. Patrick's School, Cedar Falls, Iowa, accompanied by John Roederer, Sister Mathias and Sister Jenifer. By Hansen of Black Hawk.

Thirty-seven eighth grade students from Klemme Community School, Klemme, Iowa, accompanied by Mrs. Blank. By Stromer of Hancock.

Forty-one senior students from Sigourney High School, Sigourney, Iowa, accompanied by Mr. Gilliland. By Dunton of Keokuk.

Fourteen Girl Scouts from Cadet Troop 35, Corpus Christi School, Fort Dodge, Iowa, accompanied by Mrs. Richard Whitcome. By Mayberry of Webster.

Twenty-one students from Amana High School, Amana, Iowa, accompanied by Robert Thomas. By Dunton of Keokuk.

Twenty-nine senior students from Meservey-Thornton School, Thornton, Iowa, including a foreign exchange student from Finland, Esa Kyto. These students were accompanied by Larry Carrie and Vic Groh. By Scott of Cerro Gordo.

PETITION FILED

The following petition was received and placed on file:

By Wyckoff of Benton from twenty-seven residents of Benton County favoring Senate File 85 and the inclusion of the Chemical Review Board in the new Department of Environmental Quality.

INTRODUCTION OF BILL

House File 1294, by committee on appropriations, a bill for an act making an appropriation from the general fund of the state of Iowa to the Iowa world exposition authority.

Read first time and placed on the appropriations calendar.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File 217, a bill for an act relating to the board of parole.

Also: That the President of the Senate has appointed as members of the conference committee on House File 734, a bill for an act relating to junkyards along interstate and federal aid primary highways, on the part of the Senate: the Senator from Dubuque, Mr. Walsh, chairman; the Senator from Ringgold, Mr. Anderson; the Senator from Kossuth, Mr. Keith; and the Senator from Des Moines, Mr. Miller.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File 1257, a bill for an act relating to urban renewal projects.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File 1057, a bill for an act relating to time limits during which certain civil actions may be brought.

Also: That the Senate has concurred in House amendment to, and passed the following bill in which the concurrence of the Senate was asked:

Senate File 1070, a bill for an act relating to the approval, coordination and supervision over electronic data processing.

Also: That the Senate has refused to concur in the House amendment

to Senate File 1091, a bill for an act appropriating to the department of public instruction.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File 1189, a bill for an act relating to the use and method of allocating funds administered by the Iowa commission on alcoholism,

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File 1198, a bill for an act allowing cities and towns to extend agreements to refrain from annexing.

CARROLL A. LANE, Secretary

SENATE AMENDMENT TO HOUSE FILE 217

- 1 Amend House File 217 as passed by the House as follows:
 2 1. Page 1, line 8, by inserting after the period the follow-
 3 ing: "The board of parole shall employ not less than two
 4 persons who shall serve as liaison personnel between the board,
 5 inmates and staff at the state's penal and correctional
 6 facilities and who shall perform other duties designated by
 7 the board of parole."
 8 2. Page 1, by inserting after line 12 the following new
 9 section:
 10 Sec. Section two hundred forty-seven A point three
 11 (247A.3), Code 1971 is amended to read as follows:
 12 "247A.3 COMMITTEE. A committee shall be designated by
 13 the department consisting of one [representative] *member* of the
 14 parole board *or its designee*, one representative of the division
 15 of [rehabilitation services] *corrections*, and one representative
 16 of the institution in which the inmate is confined at the time
 17 of application."

EXPLANATION OF VOTE

On March 7, 1972, I left the House chamber to attend a meeting of the Higher Education Facilities Commission on which I serve as a representative of the House. Had I been in the House chamber, I would have voted "aye" on House Files 30, 367, 734; Senate File 1069; the motion to reconsider Senate File 202; Senate File 202; and House Concurrent Resolution 115. I would have voted "no" on the motion to reconsider Senate File 334.

HANSEN of Black Hawk

SENATE MESSAGES CONSIDERED

Senate File 1057, a bill for an act relating to exceptions to the time limits during which certain civil actions must be brought.

Read first time and referred to the sifting committee.

Senate File 1184, a bill for an act relating to the payment of the tax equivalent on industrial projects supported by cities and towns.

Read first time and referred to committee on ways and means.

Senate File 1189, a bill for an act relating to the use and method of allocating funds appropriated for programs administered by the Iowa commission on alcoholism and making an appropriation.

Read first time and referred to committee on appropriations.

Senate File 1198, a bill for an act to allow cities and towns to extend agreements to refrain from annexing specifically described territory.

Read first time and referred to committee on ways and means.

HOUSE CONCURRENT RESOLUTION 125

By Larson, Bray, Edelen, Trowbridge, McCormick and Egenes

Whereas, the Sixty-fourth General Assembly, First Session, passed House File 666 relating to salaries, vacation and sick leave for state employees, and

Whereas, the passage of this bill provided some amendments to section seventy-nine point one (79.1), Code 1971, and

Whereas, one of the amendments was the insertion of "or bi-weekly" into the Code to read "salaries specifically provided for in an appropriation act of the General Assembly shall be in lieu of existing statutory salaries for the positions provided for in any such act, and all salaries shall be paid in equal monthly (or) semi-monthly or bi-weekly installments and shall be in full compensation of all services, except as otherwise expressly provided;" and

Whereas, by inserting "bi-weekly" into the Code, the intent of the Sixty-fourth General Assembly was the adoption of paying employees' wages every two weeks on a fixed day; and

Whereas, the Iowa State Highway Commission has its own accounting and computing departments and writes its own pay checks; *Now, Therefore*,

Be It Resolved by the House of Representatives, the Senate Concurring, that the General Assembly urges the Executive Council for the adoption of paying Highway Commission Employees their wages every two weeks on 'Wednesday' and authorizing Director of Highways to put this practice into effect as of April 26, 1972.

Be It Further Resolved by the House of Representatives, the Senate Concurring, that all pay roll deductions be of equal installments.

Laid over under Rule 25.

HOUSE CONCURRENT RESOLUTION 126

By Hill and Holden

Whereas, during the 1971 and 1972 sessions of the Sixty-fourth General Assembly there were introduced twelve or more bills amending or adding to various professional and occupational licensing acts; and

Whereas, most of the bills introduced related to Chapter 147 of the Code of Iowa and either expanded the powers of existing professional and occupational licensing and examining boards or created new boards for pro-

fessions and occupations not now recognized as such in the Code; and

Whereas, the Governor's Economy Committee recommended that all state licenses and certificates, including those now issued by the eighteen boards be issued through a central licensing unit in the Department of General Services; that the various trust funds of the many licensing boards be eliminated; and that the General Assembly review the value of the professional and occupational licensing boards, combine boards in related fields and eliminate any boards found to be unnecessary; and

Whereas, the professional and occupational licensing boards are of different sizes and have different powers, and the boards compete to expand their membership and powers; and

Whereas, unlicensed professions and occupations seek to be licensed and to establish their own licensing boards, such new boards may conflict with or duplicate existing boards, and it is important that the boards, new and existing, should be structured to protect the interests of all the citizens of Iowa rather than those persons practicing the professions and occupations; and

Whereas, there is a trend to have the public represented on the professional and occupational licensing boards rather than limiting membership to those persons being licensed and regulated, and the Department of Health has been advised that the composition of the Board of Examiners for Nursing Home Administrators violates proposed rules of the Administrator of the Social and Rehabilitation Service, United States Department of Health, Education and Welfare, thereby jeopardizing receipt of federal funds under Title XIX of the United States Social Security Act; and

Whereas, most of the bills relating to the professional and occupational licensing boards were referred to the committee on social services of the House and Senate, *Now, Therefore*,

Be It Resolved by the House of Representatives, the Senate Concurring, That the legislative council is authorized to create a study committee, as provided by law, which committee shall be comprised of members of the committees on social services of the House of Representatives and the Senate, to conduct during the 1972-1973 legislative interim a study of all of the existing professional and occupational licensing boards, all statutes relating thereto, and professions and occupations that should be licensed but are not now licensed under the law; and

Be It Further Resolved, That a report of the study be prepared and submitted to the legislative council and the members of the Sixty-fifth General Assembly, First Session, accompanied by legislative bill drafts designed to carry out the recommendations of the committee.

Laid over under Rule 25.

REPORT OF THE CONFERENCE COMMITTEE ON HOUSE FILE 1011

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to consider the difference between the Senate and the House of Representatives on House File 1011, a bill for an act relating to the attainment of the age of majority, respectfully submit the following recommendations:

1. That the House recede from its amendment to the Senate amendment.

2. That the Senate recede from its amendment to the bill, as amended and passed by the House.

3. That House File 1011, as amended and passed by the House be amended by striking everything after the enacting clause and inserting in lieu thereof the following:

Section 1. Section sixty-eight B point nine (68B.9), Code 1971, is amended to read as follows:

68B.9 ACTIONS COMMENCED. Actions to enforce the provisions of this chapter may be commenced by any legal resident of the state of Iowa who is [twenty-one] *nineteen* years of age or more at the time of commencing the action or by the attorney general.

Sec. 2. Section eighty A point five (80A.5), subsection one (1), Code 1971, is amended to read as follows:

1. That the applicant is at least [twenty-one] *nineteen* years of age.

Sec. 3. Section ninety point one (90.1), Code 1971, is amended to read as follows:

90.1 PETITION FOR APPOINTMENT. When any dispute arises between any person, firm, corporation, or association of employers and their employees or association of employees, of this state, except employers or employees having trade relations directly or indirectly based upon interstate trade relations operating through or by state or international boards of conciliation, which has or is likely to cause a strike or lockout, involving ten or more wage earners, and which does or is likely to interfere with the due and ordinary course of business, or which menaces the public peace, or which jeopardizes the welfare of the community, and the parties thereto are unable to adjust the same, either or both parties to the dispute, or the mayor of the city, or the chairman of the board of supervisors of the county in which said employment is carried on, or on petition of any twenty-five citizens thereof over the age of [twenty-one] *nineteen* years, or the labor commissioner, after investigation, may make written application to the governor for the appointment of a board of arbitration and conciliation, to which board such dispute may be referred under the provisions of this chapter; and the manager of the business of any person, firm, corporation, or association of such employers, or any organization representing such employees, or if such employees are not members of any organization, then a majority of such employees affected may make the application as provided in this chapter, but in no case shall more than twenty employees be required to join in such application.

Sec. 4. Section ninety-six point nineteen (96.19), subsection seven (7), paragraph "g", subparagraph

six (6), Code 1971, is amended to read as follows:

(6) Service performed by an individual in the employ of his son, daughter, or spouse, and service performed by a child under the age of [twenty-one] *nineteen* in the employ of his father or mother.

Sec. 5. Section one hundred sixteen point nine (116.9), unnumbered paragraph one (1), Code 1971, is amended to read as follows:

Every applicant for the examination provided for in section 116.8 must be over [twenty-one] *nineteen* years of age, a resident of this state, a citizen of the United States or have declared his or her intention to become such, of good moral character, a graduate of a high school having at least a four-year course of study or its equivalent as determined by the board of accountancy, or shall pass a preliminary examination to be given by the board at least thirty days before the regular examination; and a graduate of a college or university commerce course majoring in accounting, or an undergraduate student majoring in accounting in his or her final semester immediately preceding graduation and upon the recommendation of the appropriate college or university officials.

Sec. 6. Section one hundred seventeen point fifteen (117.15), unnumbered paragraph one (1), Code 1971, is amended to read as follows:

Licenses shall be granted only to persons who are trustworthy and competent to transact the business of a real estate broker or salesman in such manner as to safeguard the interests of the public and only after satisfactory proof has been presented to the commission. The applicant must be a person whose application has not been rejected in this or any other state within six months prior to the date of application, or whose real estate license has not been revoked in this or any other state within two years prior to date of application. Every applicant for a license as a real estate broker or salesman shall be of the age of [twenty-one] *nineteen* years or over and a citizen of the United States. Provided, however, that any person not a citizen of the United States may be eligible for a license if due proof is made to the commission that he has declared his intention to become a citizen of the United States.

Sec. 7. Section one hundred eighteen point eight (118.8), unnumbered paragraph one (1), Code 1971, is amended to read as follows:

Any person, being at least [twenty-one] *nineteen* years of age and of good moral character, may apply for a certificate of registration or for such examination as shall be requisite for such certification under this chapter; but before receiving

such certificate, this applicant shall submit satisfactory evidence of having completed the course in a high school or the equivalent thereto, and of having subsequently thereto completed such courses in mathematics, history and languages as may be prescribed by the board.

Sec. 8. Section one hundred twenty-three B point fourteen (123B.14), Code 1971, is amended to read as follows:

123B.14 COLLECTION OF LIEN POSTPONED. In the case of the death of either spouse the estate of the deceased shall not be settled or the homestead sold until the surviving spouse shall die or cease to occupy the homestead or while it is occupied by the [minor children of an alcoholic] *deceased alcoholic's child, as defined in section 234.1*. However, no lien shall be enforced against any homestead so long as it be occupied by an alcoholic, his spouse or [minor children] *child, as defined in section 234.1*.

Sec. 9. Section one hundred forty-two A point two (142A.2), subsection one (1), Code 1971, is amended to read as follows:

1. Any individual of sound mind and [twenty-one] *nineteen* years of age or more may give all or any part of his body for any purposes specified in section 142A.3, the gift to take effect upon death.

Sec. 10. Section one hundred forty-six point thirteen (146.13), Code 1971, is amended to read as follows:

146.13 APPLICANTS—QUALIFICATIONS. No person shall be eligible for examination for a certificate of proficiency in the basic sciences until he shall have furnished satisfactory evidence to the board that he has attained the age of [twenty-one] *nineteen* years, is of good moral character and is a graduate of an accredited high school or possesses the educational qualifications equivalent to those required for graduation by an accredited high school, to be determined by the board.

Sec. 11. Section one hundred forty-seven point three (147.3), Code 1971, is amended to read as follows:

147.3 QUALIFICATIONS. No person shall be licensed to practice a profession under this title until he shall have furnished satisfactory evidence to the department that he has attained the age of [twenty-one] *nineteen* years and is of good moral character, except that women may be licensed as dental hygienists, or men or women may be licensed as barbers, or as cosmetologists, upon attaining the age of eighteen years.

Sec. 12. Section one hundred forty-seven point one hundred twenty (147.120), subsection one (1),

Code 1971, is amended to read as follows:

1. He is at least [twenty-one] *nineteen* years of age, of good moral character and unless he is of sound mental health and physically able to perform the duties.

Sec. 13. Section one hundred forty-eight A point four (148A.4), subsection one (1), Code 1971, is amended to read as follows:

1. Have attained the age of [twenty-one] *nineteen* years.

Sec. 14. Section one hundred fifty-five point five (155.5), subsection one (1), Code 1971, is amended to read as follows:

1. Be not less than [twenty-one] *nineteen* years of age, and of good moral character, and of temperate habits.

Sec. 15. Section one hundred sixty-nine point ten (169.10), subsection one (1), Code 1971, is amended to read as follows:

1. Present satisfactory evidence that he is at least [twenty-one] *nineteen* years of age, and of good character.

Sec. 16. Section two hundred nineteen point fifteen (219.15), Code 1971, is amended to read as follows:

219.15 PAYMENT TO DEPENDENTS. Each member of the home who receives a pension or compensation and who has a dependent wife or [minor children] *child*, as defined in section 234.1, shall deposit with the commandant forthwith on receipt of his pension or compensation check one-half of the amount thereof, which shall be sent at once to the wife if she be dependent upon her own labor or others for support, or, if there be no wife, to the guardian of the [minor children] *child*, as defined in section 234.1, if dependent upon others for support. The commandant, if satisfied that the wife has deserted her husband, or is of bad character, or is not dependent upon others for support, may pay the money deposited as herein provided to the guardian of the dependent [minor children] *child*, as defined in section 234.1.

Sec. 17. Section two hundred thirty point twenty-eight (230.28), Code 1971, is amended to read as follows:

230.28 CLOSING ESTATES—HOMESTEAD. In the case of the death of either the husband or wife the estate of the deceased shall not be settled or the homestead sold until the surviving spouse shall die or cease to occupy the homestead as such or while it is occupied by the [minor children of such persons] *deceased's child*, as defined in section 234.1. Provided, however, no lien shall be enforced against any homestead so long as it be occupied by such person, his or her spouse or [minor children] *child*.

Sec. 18. Section two hundred thirty-two point two (232.2), subsections four (4) and five (5), Code 1971, are amended to read as follows:

4. "Minor" means a person less than [twenty-one] *nineteen* years of age or a person who is at least *nineteen* years of age but less than *twenty-one* years of age who is regularly attending an approved school in pursuance of a course of study leading to a high school diploma or its equivalent, or regularly attending a course of vocational or technical training either as a part of a regular school program or under special arrangements adapted to the individual person's needs.

5. "Adult" means a person [twenty-one] *nineteen* years of age or older.

Sec. 19. Section two hundred thirty-two point thirty-six (232.36), Code 1971, is amended to read as follows:

232.36 ORDERS CONTINUE TO MAJORITY OF CHILD.

All orders for supervision, custody, or commitment shall be enforced until the minor reaches the age of [twenty-one] *nineteen* years unless otherwise specified by the court. All orders shall be reviewed by the court at least annually unless the court's jurisdiction has been terminated. The court may make on its own motion or on the motion of an interested party and after notice to the parties and a hearing some other disposition of the case so long as the court retains jurisdiction.

Sec. 20. Section two hundred thirty-two point sixty-seven (232.67), Code 1971, is amended to read as follows:

232.67 LIMITED JURISDICTION. Jurisdiction obtained by the court in the case of a minor shall be retained by the court until the minor becomes [twenty-one] *nineteen* years of age unless terminated prior thereto by order of court or provision of law. [When a minor eighteen years of age or over under the jurisdiction of the court is convicted of an indictable offense in a criminal court, the conviction shall terminate the jurisdiction of the juvenile court.] *If a child is referred to the juvenile court because of alleged delinquency by reason of the commission of an indictable offense, the court may withhold an adjudication of delinquency, retain jurisdiction of the child, and place the child on probation until he is nineteen years of age at which time he shall be discharged. If the terms of the probation are violated before the person reaches the age of nineteen years, the court may enter an order referring the alleged commission of an indictable offense to the appropriate prosecuting authority for the proper action under the criminal law.*

Sec. 21. Section two hundred thirty-four point

one (234.1), Code 1971, is amended to read as follows:

234.1 DEFINITIONS. As used in this chapter: "Division" or "state division" means the division of child and family services of the department of social services; "director" or "state director" means the director of the division of child and family services of the department of social services; "county board" means the county board of social welfare. "*Child*" means a person less than eighteen years of age or a person who is at least eighteen years of age but less than twenty-one years of age who is regularly attending an approved school in pursuance of a course of study leading to a high school diploma or its equivalent, or regularly attending a course of vocational or technical training either as a part of a regular school program or under special arrangements adapted to the individual person's needs.

Sec. 22. Section two hundred thirty-five point one (235.1), Code 1971, is amended to read as follows:

235.1 DEFINITIONS. The terms "state division", "state director", "county department", [and] "county board" , and "*child*" are used in this chapter and chapters 236, 237, and 238 as said terms are defined in section 234.1.

"Child welfare services" means social welfare services for the protection and care of children who are homeless, dependent or neglected, or in danger of becoming delinquent, including when necessary care and maintenance in a foster care facility.

Sec. 23. Section two hundred thirty-eight point thirty-two (238.32), subsection two (2), Code 1971, is amended to read as follows:

2. Receive neglected, dependent, and delinquent children under [twenty-one and over eighteen] *nineteen* years of age, under commitment from the juvenile court, and control and dispose of them as in this chapter provided.

Sec. 24. Section two hundred forty-two point eight (242.8), Code 1971, is amended to read as follows:

242.8 ARTICLES OF AGREEMENT. Such children shall be so placed under articles of agreement, approved by the state director and signed by the person or persons taking them and by the superintendent. Said articles shall provide for the custody, care, education, maintenance, and earnings of said children for a time to be fixed in said articles, which shall not extend beyond the time when the persons bound shall attain the age of [twenty-one] *nineteen* years.

Sec. 25. Section two hundred forty-two point thirteen (242.13), Code 1971, is amended to read as follows:

242.13 BINDING OUT OR DISCHARGE. The binding

out or the discharge of an inmate as reformed, or having arrived at the age of [twenty-one] *nineteen* years, shall be a complete release from all penalties incurred by the conviction for the offense upon which the child was committed to the school.

Sec. 26. Section two hundred forty-four point ten (244.10), Code 1971, is amended to read as follows:

244.10 PLACING CHILD UNDER CONTRACT. Any child received in said homes, unless adopted, may, under written contract approved by the state director, be placed by the superintendent in the custody and care of any proper person or family. Such contract shall provide for the custody, care, education, maintenance, and earnings of the child for a fixed time which shall not extend beyond the age of majority, *except that the time may extend beyond the child's eighteenth birthday until he is twenty-one years of age if he is regularly attending an approved school in pursuance of a course of study leading to a high school diploma or its equivalent, or regularly attending a course of vocational technical training either as a part of a regular school program or under special arrangements adapted to the individual person's needs.* Such contract shall be signed by the superintendent and by the person taking the child.

Sec. 27. Section two hundred forty-seven point twenty-seven (247.27), Code 1971, is amended to read as follows:

247.27 VIOLATION OF COURT PROBATION. If the suspended sentence be an order for commitment to the training school, the fact that the defendant first violated his or her probation after reaching the age of eighteen years, and before reaching the age of [twenty-one] *nineteen* years, shall not prevent the enforcement of such sentence.

Sec. 28. Section two hundred forty-nine A point six (249A.6), Code 1971, is amended to read as follows:

249A.6 CLAIMS AGAINST ESTATE. On the death of a person receiving or who has received assistance under this chapter, and of the survivor of a married couple, either or both of whom were so assisted and during which time such recipient was sixty-five years of age or older, the total amount paid as assistance to either shall be allowed as a claim of the sixth class against the estate of such decedent or the surviving spouse. Neither the homestead nor the proceeds therefrom of such decedent, or the survivor, shall be exempt from the payment of such claim, any Act or statute notwithstanding. An action may be brought in the name of the state to recover the same at any time within five years after the death of the person receiving aid and after the death of the survivor of the married couple, either or both of

whom have received assistance under the provisions of this chapter. No such claim shall be allowed, however, until the death of the surviving spouse nor shall such claim be allowed if a child under [twenty-one] *nineteen* years of age, or a child who is blind or is permanently and totally disabled, survives a surviving spouse or a recipient who has no surviving spouse. The right to a claim existing on July 1, 1969 against the estate of any person who had, prior to said date, received medical assistance pursuant to chapter 249A, shall be preserved and continued under this chapter.

Sec. 29. Section two hundred fifty-two point fourteen (252.14), Code 1971, is amended to read as follows:

252.14 HOMESTEAD—WHEN LIABLE. When expenditures have been made for and on behalf of a poor person and his family, as contemplated by section 252.13, the homestead of such poor person is liable for such expenditures when such poor person dies without leaving a surviving husband or wife, or [minor children] *child*, as defined in section 234.1.

Sec. 30. Section two hundred fifty-two A point two (252A.2), subsection three (3), Code 1971, is amended to read as follows:

3. "Child" includes a stepchild, foster child or legally adopted child and means a child actually or apparently under [seventeen] *eighteen* years of age, and a child over [seventeen] *eighteen* years of age who is unable to maintain himself and is likely to become a public charge.

Sec. 31. Section two hundred fifty-two A point three (252A.3), subsections one (1), two (2), and three (3), Code 1971, are amended to read as follows:

1. A husband in one state is hereby declared to be liable for the support of his wife and any child or children under [seventeen] *eighteen* years of age and any other dependent residing or found in the same state or in another state having substantially similar or reciprocal laws, and, if possessed of sufficient means or able to earn such means, may be required to pay for their support a fair and reasonable sum according to his means, as may be determined by the court having jurisdiction of the respondent in a proceeding instituted under this chapter.

2. A mother in one state is hereby declared to be liable for the support of her child or children under [seventeen] *eighteen* years of age residing or found in the same state or in another state having substantially similar or reciprocal laws, whenever the father of such child or children is dead, or cannot be found, or is incapable of supporting such child or children, and, if she is possessed of

sufficient means or able to earn such means, she may be required to pay for the support of such child or children a fair and reasonable sum according to her means, as may be determined by the court having jurisdiction of the respondent in a proceeding instituted under this chapter.

3. The parents in one state are hereby declared to be severally liable for the support of a child [seventeen] *eighteen* years of age or older residing or found in the same state or in another state having substantially similar or reciprocal laws, whenever such child is unable to maintain himself and is likely to become a public charge.

Sec. 32. Section two hundred sixty-one point seven (261.7), Code 1971, is amended to read as follows:

261.7 OBLIGATIONS MADE BY MINORS. Any contract, promissory note, or other written obligation made by any minor to repay or secure payment of a loan made under sections 261.5 through 261.8, payment of which is guaranteed by the commission, or which forms part of the same transaction as the making of such loan shall notwithstanding any provision of law to the contrary be as valid and binding as if the person were [twenty-one] *nineteen* years of age or older at the time the obligation was made and executed. Obligations may be enforced in any action or proceeding by or against such person in the person's own name and shall be valid without the consent thereto of the parent or guardian of such person. Such person shall not in any action or proceeding arising out of any such loan disaffirm such instrument because of his age nor shall any person interpose the defense that he is, or was, a minor at the time of making and executing the instrument.

Sec. 33. Section three hundred twenty-one point one hundred seventy-nine (321.179), Code 1971, is amended to read as follows:

321.179 SPECIAL RESTRICTIONS ON CHAUFFEURS. No person who is under the age of [twenty-one] *nineteen* years shall drive any motor vehicle while in use as a carrier of flammables or combustibles, or as a public or common carrier of persons, except a school bus.

Sec. 34. Section three hundred twenty-one point one hundred eighty (321.180), Code 1971, is amended to read as follows:

321.180 INSTRUCTION PERMITS. Any person who is at least fourteen years of age and who, except for his lack of instructions in operating a motor vehicle, would otherwise be qualified to obtain an operator's license, shall upon meeting the requirements of section 321.186 other than driving demonstration, and upon paying the required fee, be issued a temporary instruction permit by the department, entitling the

permittee while having such permit in his immediate possession to drive a motor vehicle upon the highways for a period of two years from the date of issuance when accompanied by a licensed operator or chauffeur who is at least [twenty-one] *nineteen* years of age, or an approved driver education instructor, or a prospective driver education instructor who is enrolled in and has been specifically designated by a teacher education institution with a safety education program approved by the department of public instruction, and who is actually occupying a seat beside the driver; except that any instruction permit issued to a person who is less than sixteen years of age shall entitle such permittee to drive a motor vehicle upon the highways only when accompanied by a parent or guardian, or an approved driver education instructor, or a prospective driver education instructor, who is enrolled in and has been specifically designated by a teacher education institution with a safety education program approved by the department of public instruction, or by any person who is twenty-five years of age or more if written permission is granted by the parent or guardian, who is a holder of a valid operator's or a chauffeur's license, and who is actually occupying a seat beside the driver.

Sec. 35. Section three hundred twenty-five point twenty-nine (325.29), Code 1971, is amended to read as follows:

325.29 DRIVER OF VEHICLE. Every driver employed by a motor carrier shall be at least [twenty-one] *nineteen* years of age; in good physical condition; of good moral character; shall be fully competent to operate the motor vehicle under his charge, and shall hold a regular chauffeur's license from the department of public safety.

Sec. 36. Section three hundred twenty-seven A point seven (327A.7), Code 1971, is amended to read as follows:

327A.7 DRIVERS REQUIREMENTS. Every driver employed by a liquid transport carrier shall be at least [twenty-one] *nineteen* years of age; in good physical condition; of good moral character; shall be fully competent to operate the vehicle under his charge, and shall hold a regular chauffeur's license from the department of public safety.

Sec. 37. Section three hundred fifty-eight point nine (358.9), unnumbered paragraph one (1), Code 1971, is amended to read as follows:

Within thirty days after the organization of a sanitary district under this chapter, the board of supervisors which had jurisdiction of the proceedings for its establishment, together with the board of supervisors of any other county, if any, in which any part of said district is located, shall order

an election to be held in the district on a date not more than sixty days after the date of the order for the purpose of electing a board of trustees, consisting of three members, except as otherwise provided in this section, for the government, control and management of the affairs and business of such sanitary district. Said board, or boards, shall cause notice of said election to be posted and published, and shall perform all other acts with reference to such election, and conduct the same, in like manner, as nearly as may be, as provided in this chapter for the election on the question of establishing such district. Each trustee shall be a citizen of the United States, not less than [twenty-one] *nineteen* years of age, and a resident within said sanitary district. Each voter at said election may write in upon the ballot the names of not more than three persons whom he desires for trustees and may cast not more than one vote for each of said three persons, and the three persons receiving the highest number of votes cast shall constitute the first board of trustees of the district. The term of office of the first board of trustees shall be for the period extending to the second secular day of January following the next regular biennial election. Three trustees to succeed the first board of trustees shall be nominated and elected at the next primary and regular biennial elections following establishment of the district, in the same manner as provided by the primary and general election laws of this state for the nomination and election for offices to be filled by the voters of any subdivision of a county. Said trustees shall be elected for terms of two, four, and six years respectively, and their terms shall commence on the second secular day of January next thereafter. At each succeeding biennial election one trustee shall be nominated and elected in the manner herein provided for a six-year term to succeed the trustee whose term next expires. In all elections for trustees each qualified voter resident within the district may vote one vote for each office of trustee to be filled at the election. At all elections for trustees subsequent to the election of the first board the names of all candidates for trustees of such sanitary district shall be printed on the same ballot with candidates for other offices to be filled at such election. In case a regular election precinct includes territory lying partly within and partly without the sanitary district it shall be the duty of the officers charged with the printing and furnishing of ballots to furnish to the election judges of such precinct two sets of official ballots, one set including the names of candidates for trustees of such sanitary district, and one set without such names. All provisions of the primary and general election laws of Iowa shall

govern the nomination and election of trustees hereunder, so far as applicable and except as modified hereby.

Sec. 38. Section three hundred fifty-eight point nine (358.9), unnumbered paragraph three (3), Code 1971, is amended to read as follows:

In cases where the state of Iowa owns at least four hundred acres of land contiguous to lakes within said district, then and only then the Iowa natural resources council shall appoint two members of said board of trustees in addition to the three members hereinbefore provided in this section. The additional two members shall be qualified as follows: They shall be United States citizens, not less than [twenty-one] *nineteen* years of age, and shall be property owners within said district. In such cases the two additional appointive members shall have equal vote and authority with other members of trustees and shall hold office at the pleasure of the Iowa natural resources council.

Sec. 39. Section three hundred seventy-eight point five (378.5), Code 1971, is amended to read as follows:

378.5 QUALIFICATIONS. Bona fide citizens and residents of the city or town, except as qualified by sections 378.2 and 378.3, male or female, [over the age of twenty-one] *nineteen years of age or over*, are alone eligible to membership.

Sec. 40. Section three hundred seventy-nine point six (379.6), Code 1971, is amended to read as follows:

379.6 QUALIFICATION. Only bona fide citizens and residents of the city or town, male or female, [over the age of twenty-one] *nineteen years of age or over*, shall be eligible to membership.

Sec. 41. Section four hundred sixty-two point seven (462.7), Code 1971, is amended to read as follows:

462.7 ELIGIBILITY OF TRUSTEES. Each trustee shall be a citizen of the United States not less than [twenty-one] *nineteen* years of age, a resident of the county, and the bona fide owner of agricultural land in the election district for which he is elected.

Sec. 42. Section four hundred twenty-five point fifteen (425.15), Code 1971, is amended to read as follows:

425.15 DISABLED VETERAN TAX CREDIT. In the event the owner of the homestead, allowed a credit under this chapter, is a veteran of any of the military forces of the United States who acquired the homestead under the provisions of the United States Code, title 38, chapter 21, sections 801 and 802, the credit allowed on said homestead from the homestead credit fund herein provided shall be the entire amount of the tax levied on said homestead. The credit herein allowed shall be continued to the estate of such

veteran who is deceased or the surviving spouse and [children] *any child, as defined in section 234.1* who are the beneficiaries thereof so long as the surviving spouse remains unmarried [and until any surviving unmarried children reach the age of twenty-one years]. The provisions of this section shall not be applicable to the holder of title to any such homestead whose annual income, together with that of his spouse, if any, for the last preceding twelve-month income tax accounting period exceeds five thousand dollars. For the purpose of this section "income" means taxable income for federal income tax purposes plus income from securities of state and other political subdivisions exempt from federal income tax. Any veteran or his beneficiary who elects to secure the credit provided in this section shall not be eligible for any other real property tax exemption provided by law for veterans of military service.

Sec. 43. Section four hundred sixty-two point eleven (462.11), Code 1971, is amended to read as follows:

462.11 QUALIFICATIONS OF VOTERS. Each landowner [over twenty-one] *nineteen* years of age *or over* without regard to sex and any railway or other corporation owning land in said district assessed for benefits shall be entitled to one vote only, except as provided in section 462.12.

Sec. 44. Section five hundred twelve point nine (512.9), Code 1971, is amended to read as follows:

512.9 QUALIFICATIONS FOR MEMBERSHIP. A society may admit to benefit membership any person not less than fifteen years of age, nearest birthday, who has furnished evidence of insurability acceptable to the society. Any such member who shall apply for additional benefits more than six months after becoming a benefit member shall furnish additional evidence of insurability acceptable to the society.

Any person admitted prior to attaining the full age of [twenty-one] *nineteen* years shall be bound by the terms of the application and certificate and by all the laws and rules of the society and shall be entitled to all the rights and privileges of membership therein to the same extent as though the age of majority had been attained at the time of application. A society may also admit general or social members who shall have no voice or vote in the management of its insurance affairs.

Sec. 45. Section five hundred twenty-four point three hundred one (524.301), Code 1971, is amended to read as follows:

524.301 INCORPORATORS. A state bank may be incorporated under this chapter by not less than five individuals [over the age of twenty-one] *nineteen years*

of age or older, a majority of whom shall be citizens of this state and all of whom shall be citizens of the United States.

Sec. 46. Section five hundred twenty-four point six hundred one (524.601), subsection one (1), Code 1971, is amended to read as follows:

1. The business and affairs of a state bank shall be managed by a board of five or more directors [over the age of twenty-one] *nineteen years of age or older*, a majority of whom shall be citizens of this state and all of whom shall be citizens of the United States. No individual shall be eligible to serve as a director of any state bank unless he is the owner, in his own right, free of any lien and encumbrance, of common shares in the state bank of which he is a director having a par value of not less than five hundred dollars.

Sec. 47. Section five hundred ninety-five point three (595.3), subsection two (2), Code 1971, is amended to read as follows:

2. Where [the male is a minor, or the female] *either party* is under [eighteen] *nineteen* years of age, unless a certificate of the consent of the parents is filed. If one of the parents is dead such certificate may be executed by the survivor. *If either parent is incompetent or his presence is unknown, the judge of the district court having jurisdiction in the county may, after hearing, upon proper cause shown, execute such certificate.* If both parents are dead the guardian of such minor may execute such certificate but if such minor has no guardian then the judge of the district court having jurisdiction in the county may, after hearing, upon proper cause shown, execute such certificate. If the parents are divorced, the parent having legal custody may execute such certificate.

Sec. 48. Section five hundred ninety-eight point one (598.1), subsection two (2), Code 1971, is amended to read as follows:

2. "Support" or "support payments" means any amount which the court may require either of the parties to pay under a temporary order or a final judgment or decree, and may include alimony, child support, maintenance, and any other term used to describe such obligations. *Such obligations may include support for a child who is between the ages of eighteen and twenty-two years who is regularly attending an approved school in pursuance of a course of study leading to a high school diploma or its equivalent, or regularly attending a course of vocational technical training either as a part of a regular school program or under special arrangements adapted to the individual person's needs; or is, in*

good faith, a full-time student in a college, university, or area school; or has been accepted for admission to a college, university, or area school and the next regular term has not yet begun; or a child of any age who is dependent on the parties to the dissolution proceedings because of physical or mental disability.

Sec. 49. Section five hundred ninety-nine point one (599.1), Code 1971, is amended to read as follows:

599.1 PERIOD OF MINORITY. The period of minority extends to the age of [twenty-one] *nineteen* years, but all minors attain their majority by marriage[, and females, after reaching the age of eighteen years, may make valid contracts for marriage the same as adults].

Sec. 50. Section six hundred ten point two (610.2), Code 1971, is amended to read as follows:

610.2 QUALIFICATIONS FOR ADMISSION. Every applicant for such admission must be at least [twenty-one] *nineteen* years of age, of good moral character, and an inhabitant of this state, and must have actually and in good faith pursued a regular course of study of the law for at least three full years, either in the office of a member of the bar in regular practice of this state or other state, or of a judge of a court of record thereof, or in some reputable law school in the United States, or partly in such office and partly in such law school; but, in reckoning such period of study, the school year of any such law school, consisting of not less than thirty-six weeks exclusive of vacations, shall be considered equivalent to a full year. Every such applicant for admission must also have actually and in good faith acquired a general education substantially equivalent to that involved in the completion of a high school course of study of a least four years in extent.

Sec. 51. Section six hundred thirty-three point three (633.3), subsection eighteen (18), Code 1971, is amended to read as follows:

18. Full age—the state of legal majority attained through arriving at the age of [twenty-one] *nineteen* years or through having married even though such marriage is terminated by divorce.

Sec. 52. Section six hundred thirty-three point three hundred seventy-six (633.376), Code 1971, is amended to read as follows:

633.376 ALLOWANCE TO MINOR CHILDREN WHO DO NOT RESIDE WITH SURVIVING SPOUSE. The court may also make an allowance to [the minor children] *a child of the decedent who is less than eighteen years of age or who is between the ages of eighteen and twenty-two years who is regularly attending an approved school in pursuance of a course of study leading to a high school diploma or its equivalent, or regularly*

attending a course of vocational technical training either as a part of a regular school program or under special arrangements adapted to the individual person's needs; or is, in good faith, a full-time student in a college, university, or area school; or has been accepted for admission to a college, university, or area school and the next regular term has not yet begun; or a child of any age who is dependent on the parties to the dissolution proceedings because of physical or mental disability; , who [do] does not reside with the surviving spouse, of such an amount as it deems reasonable in the light of the assets and condition of the estate, to provide for their proper support during such period of twelve months.

Sec. 53. Section six hundred ninety-five point eighteen (695.18), Code 1971, is amended to read as follows:

695.18 SALE OF DANGEROUS WEAPONS PROHIBITED.

It shall be unlawful to sell, to keep for sale, or offer for sale, loan, or give away, dirk, dagger, stiletto, metallic knuckles, sandbag, or skull cracker, silencer, and no pistol or revolver shall be sold to any person under the age of [twenty-one] *nineteen* years. The provisions of this section shall not prevent the selling or keeping for sale of hunting and fishing knives.

Sec. 54. Chapter one hundred thirty-one (131), section three (3), subsection thirty-three (33), Acts of the Sixty-fourth General Assembly, First Session, is amended to read as follows:

33. "Legal age" means [twenty-one] *nineteen* years of age or more.

On the part of the Senate:
 JAMES A. POTGETER, Chairman
 CHARLES F. BALLOUN
 C. JOSEPH COLEMAN

On the part of the House:
 C. RAYMOND FISHER, Chairman
 JOHN N. NYSTROM
 ELIZABETH SHAW

**AMENDMENTS ADOPTED TO THE
 TEMPORARY RULES OF THE HOUSE**

Varley of Adair asked and received unanimous consent to take up the proposed amendments filed by the committee on rules to the temporary rules of the House:

Varley of Adair offered the following amendment to Rule 28 and moved its adoption:

Amend Rule 28 of the Temporary Rules of the House, line 14, by striking the period and inserting in lieu thereof the following: "when not in conflict with Rule 36."

The amendment was adopted.

Varley of Adair asked and received unanimous consent to withdraw the amendment to Rule 36 of the temporary rules of the House, filed by the committee on rules on March 3, 1972, and found on page 938 of the House Journal.

Varley of Adair offered from the floor the following amendment to the temporary rules of the House filed by the committee on rules:

1. Amend Rule 36 of the Temporary Rules of the House as amended and adopted as follows:

1. By striking from lines 9 and 10 the words "and appropriation bills".

2. By adding after the period in line 11, "Appropriation bills shall not be voted out of committee after March 10, 1972."

2. Amend Rule 55 of the Temporary Rules of the House by adding: "The sifting committee shall not place bills on the calendar after March 10, 1972."

Division of the amendment was requested.

Varley of Adair moved the adoption of amendment 1, lines 1 through 7, of the amendment.

Amendment 1, lines 1 through 7, was adopted.

Varley of Adair asked for unanimous consent that amendment 2, lines 8 through 10, be withdrawn.

Objection was raised.

Varley of Adair moved that amendment 2, lines 8 through 10, of the amendment be withdrawn.

A non-record roll call was requested.

The ayes were 46, nays 30.

Amendment 2 was withdrawn.

MOTION TO RECONSIDER WITHDRAWN
(House File 1272)

Schroeder of Pottawattamie asked and received unanimous consent to withdraw his motion to reconsider House File 1272, filed by him on March 7, 1972, and found on page 980 of the House Journal.

AMENDMENT WITHDRAWN

(House File 1272)

Schroeder of Pottawattamie asked and received unanimous consent to withdraw the amendment to House File 1272, filed by him on March 7, 1972, and found on page 985 of the House Journal.

UNFINISHED BUSINESS

The House resumed consideration of **House File 1242**, a bill for an act to establish a commission on salaries for elective state officials.

Cochran of Webster asked and received unanimous consent to withdraw the amendment filed by him on March 1, 1972, and found on page 903 of the House Journal.

Cochran of Webster offered the amendment filed by him and Camp of Clinton on March 7, 1972, and found on pages 984 and 985 of the House Journal.

Jesse of Polk offered from the floor the following amendment filed by Jesse, et al., to the Cochran-Camp amendment:

Amend the Cochran-Camp amendment to House File 1242, filed March 7, 1972, by striking all of lines 54 through 57 and inserting in lieu thereof the following:

"Sec. 5. The salaries or compensation and expenses recommended by the commission and reported to the Governor and General Assembly shall become effective on July 1, 1973 and on July 1 following the report of the commission, each two years thereafter, unless the General Assembly specifically disapproves all or part of such recommendations and has, on or before the effective date of those recommendations, enacted into law a statute which establishes rates other than those recommended by the commission."

Camp of Clinton rose on a point of order that the amendment was out of order.

The Speaker ruled the point not well taken.

Speaker pro tempore Millen in the chair at 10:40 a.m.

Jesse of Polk moved the adoption of his amendment to the amendment. 1

Roll call was requested by Nielsen of Shelby and Pierson of Mahaska.

Rule 70 was invoked.

On the question "Shall the amendment to the amendment be adopted?"

The ayes were, 47:

Anania	Husak	Middleswart	Schmeiser
Blouin	Jesse	Moffitt	Schwartz
Bray	Johnston	Mollett	Schwieger
Cochran	Kelly	Monroe	Scott
Dougherty	Kennedy	Norpel	Skinner
Doyle	Kinley	Patton	Small
Dunton	Knoblauch	Pelton	Uban
Ellsworth	Knoke	Priebe	Wells
Ewell	Larson	Radl	Willits
Franklin	Logemann	Rex	Wirtz
Gluba	Mayberry	Rodgers	Wyckoff
Holden	McCormick	Sargisson	

The nays were, 45:

Andersen	Fisher, C. R.	Mendenhall	Strand
Bergman	Freeman	Miller	Strothman
Camp	Grassley	Nielsen	Taylor
Campbell	Hamilton	Pellett	Tieden
Christensen	Hansen	Pierson	Trowbridge
Clark	Hill	Roorda	Varley
Curtis	Kehe	Schroeder	Waugh
Den Herder	Kreamer	Shaw	Welden
Drake	Kruse	Siglin	Winkelman
Edelen	Lawson	Sorg	Mr. Speaker
Egenes	Lipsky	Stanley	(Millen)
Fischer, H. O.	McElroy		

Absent or not voting, 8:

Alt	Goode	Menefee	Stokes
Bennett	Harbor	Nystrom	Stromer

The amendment to the amendment was adopted.

Cochran of Webster moved the adoption of his amendment as amended.

The amendment as amended was adopted.

Varley of Adair asked for unanimous consent that House File 1242 be deferred.

Objection was raised.

Varley of Adair moved that House File 1242 be deferred and that the bill retain its place on the calendar.

A non-record roll call was requested.

The ayes were 42, nays 45.

The motion lost.

Hill of Polk moved to reconsider the vote by which the Cochran amendment as amended was adopted on March 8, 1972.

A non-record roll call was requested.

The ayes were 46, nays 43.

The motion prevailed.

Ellsworth of Dubuque moved to reconsider the vote by which the Jesse amendment to the Cochran amendment was adopted on March 8, 1972.

A non-record roll call was requested.

The ayes were 47, nays 41.

The motion prevailed.

(House File 1242 pending at adjournment.)

The House was recessed until 1:30 p.m.

AFTERNOON SESSION

The House reconvened, Speaker pro tempore Millen in the chair.

Speaker Harbor in the chair at 2:50 p.m.

Jesse of Polk reoffered the following amendment to the Cochran amendment filed by Jesse, et al., and moved its adoption:

Amend the Cochran, Camp amendment to House File 1242, filed March 7, 1972, by striking all of lines 54 through 57 and inserting in lieu thereof the following:

"Sec. 5. The salaries or compensation and expenses recommended by the commission and reported to the Governor and General Assembly shall become effective on July 1, 1973 and on July 1 following the report of the commission, each two years thereafter, unless the General Assembly specifically disapproves all or part of such recommendations and has, on or before the effective date of those recommendations, enacted into law a statute which establishes rates other than those recommended by the commission."

Roll call was requested by Jesse of Polk and Skinner of Polk.

On the question "Shall the amendment to the amendment be adopted?"

The ayes were, 42:

Anania	Dunton	Johnston	Larson
Blouin	Ewell	Kelly	Logemann
Bray	Franklin	Kennedy	Mayberry
Cochran	Gluba	Kinley	McCormick
Dougherty	Husak	Knoblauch	Middleswart
Doyle	Jesse	Knoke	Moffitt

Monroe	Radl	Scott	Wells
Norpel	Rodgers	Skinner	Willits
Patton	Sargisson	Small	Wirtz
Pelton	Schwartz	Uban	Wyckoff
Priebe	Schwieger		

The nays were, 51:

Andersen	Fisher, C. R.	Mendenhall	Stanley
Bergman	Freeman	Millen	Strand
Camp	Grassley	Miller	Stromer
Campbell	Hamilton	Mollett	Strothman
Christensen	Hansen	Nielsen	Taylor
Clark	Hill	Pellett	Tieden
Curtis	Holden	Pierson	Trowbridge
Den Herder	Kehe	Rex	Varley
Drake	Kreamer	Roorda	Waugh
Edelen	Kruse	Schroeder	Welden
Egenes	Lawson	Shaw	Winkelman
Ellsworth	Lipsky	Siglin	Mr. Speaker
Fischer, H. O.	McElroy	Sorg	

Absent or not voting, 7:

Alt	Goode	Nystrom	Stokes
Bennett	Menefee	Schmeiser	

The amendment to the amendment lost.

Speaker pro tempore Millen in the chair at 3:18 p.m.

Blouin of Dubuque moved that the rules be suspended and that House File 371 be substituted for House File 1242.

The Chair ruled that under the provisions of Rule 55 the motion was out of order.

Jesse of Polk moved that Rule 55 be suspended.

Roll call was requested by Jesse of Polk and Johnston of Johnson.

On the question "Shall House Rule 55 be suspended?"

The ayes were, 33:

Anania	Gluba	McCormick	Schwartz
Blouin	Husak	Middleswart	Scott
Bray	Jesse	Monroe	Skinner
Cochran	Johnston	Patton	Small
Dougherty	Kelly	Pelton	Uban
Doyle	Kennedy	Radl	Wells
Dunton	Kinley	Rodgers	Willits
Ewell	Knoblauch	Sargisson	Wyckoff
Franklin			

The nays were, 55:

Andersen	Christensen	Drake	Fischer, H. O.
Bergman	Clark	Edelen	Fisher, C. R.
Camp	Curtis	Egenes	Freeman
Campbell	Den Herder	Ellsworth	Grassley

Hamilton	Lipsky	Rex	Taylor
Hansen	Logemann	Roorda	Tieden
Harbor	McElroy	Schroeder	Trowbridge
Hill	Mendenhall	Shaw	Varley
Holden	Miller	Siglin	Waugh
Kehe	Moffitt	Sorg	Welden
Knoke	Mollett	Stanley	Winkelman
Kreamer	Nielsen	Strand	Wirtz
Kruse	Pellett	Stromer	Mr. Speaker
Lawson	Pierson	Strothman	(Millen)

Absent or not voting, 12:

Alt	Larson	Norpel	Schmeiser
Bennett	Mayberry	Nystrom	Schwieger
Goode	Menefee	Priebe	Stokes

The motion lost.

Cochran of Webster reoffered the following amendment filed by him and Camp of Clinton:

Amend House File 1242 as follows:

1. By striking everything after the enacting clause and inserting in lieu thereof the following:

"Section 1. There is established a commission to be known as the commission on compensation, expenses, and salaries for elected state officials, hereinafter referred to as 'the commission'. The commission shall be composed of fifteen members, five of whom shall be appointed by the governor, five of whom shall be appointed by the president of the senate, and five of whom shall be appointed by the speaker of the house of representatives. Members of the commission shall be appointed without regard to political affiliation and shall not be state officials or employees, employees of any state department, board, commission, or agency or of any political subdivision of the state.

Sec. 2. Members of the commission shall serve for a term of office of five years, and for the initial commission, one member appointed by each shall be appointed to serve for five years, one for four years, one for three years, one for two years, and one for one year. Vacancies on the commission shall be filled for the unexpired term in the same manner as the original appointment.

Sec. 3. Members of the commission shall serve without compensation, but shall receive actual and necessary expenses, including travel at the state rate. Payment shall be made from funds available pursuant to section two point twelve (2.12) of the Code, however, members appointed by the governor shall be paid from funds appropriated to the office of the governor.

Sec. 4. The commission shall elect its own chairman from among its membership and shall meet on the call of the chairman to review compensation and expenses re-

ceived by members of the general assembly and salaries of the other elective state officials. The commission shall review compensation and expenses paid to members of the general assembly and salaries paid to other elective state officials, and shall review compensation, expenses, and salaries paid for comparable positions in other states, the federal government, and private enterprise. Based on such review and other factors deemed relevant, the commission shall make its determination as to compensation and expense levels for members of the general assembly and as to salary levels for other elective state officials to be recommended to the governor and the members of the general assembly. No later than February 1, 1973, and each two years thereafter, the commission shall report to the governor and to the general assembly its recommendations for compensation and expenses for members of the general assembly and for salaries for other elective state officials.

Sec. 5. The general assembly shall consider the recommendations of the commission in determining compensation and expenses for members of the general assembly and salaries for other elective state officials."

2. Page 1, line 1, by inserting after the word, "on" the words "compensation, expenses, and"

The amendment was adopted.

Jesse of Polk asked and received unanimous consent to withdraw the amendment filed by Jesse, et al., on March 7, 1972, and found on page 984 of the House Journal.

Camp of Clinton moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1242)

The ayes were, 71:

Anania	Fisher, C.R.	McElroy	Small
Andersen	Gluba	Mendenhall	Sorg
Bergman	Hamilton	Middleswart	Stanley
Blouin	Hansen	Miller	Strand
Camp	Harbor	Moffitt	Stromer
Campbell	Hill	Mollett	Strothman
Christensen	Holden	Nielsen	Taylor
Clark	Kehe	Pellett	Tieden
Cochran	Kelly	Pelton	Trowbridge
Curtis	Kinley	Pierson	Varley
Den Herder	Knoblauch	Rodgers	Waugh
Dougherty	Knoke	Roorda	Wells
Drake	Kreamer	Sargisson	Willits
Dunton	Kruse	Schroeder	Winkelman
Edelen	Larson	Schwartz	Wirtz
Egenes	Lawson	Schwieger	Wyckoff
Ellsworth	Lipsky	Scott	Mr. Speaker
Fischer, H. O.	Logemann	Siglin	(Millen)

The nays were, 21:

Bray	Husak	McCormick	Radl
Doyle	Jesse	Monroe	Rex
Ewell	Johnston	Norpel	Shaw
Franklin	Kennedy	Patton	Skinner
Freeman	Mayberry	Priebe	Welden
Grassley			

Absent or not voting, 8:

Alt	Goode	Nystrom	Stokes
Bennett	Menefee	Schmeiser	Uban

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

Speaker Harbor in the chair at 3:45 p.m.

AMENDMENT ADOPTED TO THE TEMPORARY RULES OF THE HOUSE

Varley of Adair offered from the floor the following amendment to the Temporary Rules of the House:

Amend Rule 20 of the Temporary Rules of the House as follows:

1. By striking numbered paragraph five (5).
2. By striking the first unnumbered paragraph on page 78 and by inserting in lieu thereof the following: "No one shall be admitted to the floor of the House on a legislative day between the hours of 8:30 A. M. and 4:30 P. M., or anytime when the House is in session, except those persons named in the numbered sections of this Rule set forth above."

Division of the amendment was requested.

Egenes of Story moved that action on the amendment to the rules be deferred until 9:15 a.m., March 9, 1972.

The motion lost.

Varley of Adair moved the adoption of amendment 1, lines 1 through 3 of the amendment.

Roll call was requested by Priebe of Kossuth and Jesse of Polk.

On the question "Shall amendment 1 of the amendment be adopted?"

The ayes were, 57:

Andersen	Curtis	Grassley	Kehe
Bergman	Drake	Hamilton	Kelly
Blouin	Egenes	Hansen	Kennedy
Bray	Ellsworth	Hill	Kinley
Christensen	Fischer, H. O.	Holden	Knoblauch
Cochran	Fisher, C. R.	Johnston	Knoke

Kreamer	Mollett	Schwartz	Tieden
Kruse	Pellett	Scott	Uban
Lipsky	Pelton	Shaw	Varley
McCormick	Pierson	Skinner	Welden
McElroy	Radl	Sorg	Willits
Middleswart	Roorda	Stanley	Winkelman
Millen	Schmeiser	Strand	Wyckoff
Miller	Schroeder	Stromer	Mr. Speaker
Moffitt			

The nays were, 31:

Anania	Freeman	Monroe	Siglin
Camp	Gluba	Norpel	Small
Clark	Husak	Patton	Strothman
Dougherty	Jesse	Priebe	Taylor
Doyle	Larson	Rex	Trowbridge
Dunton	Logemann	Rodgers	Wells
Edelen	Mayberry	Sargisson	Wirtz
Ewell	Mendenhall	Schwieger	

Absent or not voting, 12:

Alt	Den Herder	Lawson	Nystrom
Bennett	Franklin	Menefee	Stokes
Campbell	Goode	Nielsen	Waugh

Amendment 1 of the amendment was adopted.

Logemann of Worth offered from the floor the following amendment to amendment 2 of the amendment and moved its adoption:

Amend the committee on rules amendment to Rule 20 of the Temporary Rules of the House by striking all of line 6 and inserting in lieu thereof the following:
 "Upon written permission of a legislator, no more than two persons shall be admitted to the floor of the House for a period of time not to exceed thirty minutes on a".

The amendment to the amendment lost.

Priebe of Kossuth offered from the floor the following amendment to Rule 20 of the Temporary Rules of the House and moved its adoption:

Amend Rule 20 of the Temporary Rules of the House by inserting after the first unnumbered paragraph on page 78 the following:

"The House lounge area be restricted to Legislators and their guests only."

Roll call was requested by Priebe of Kossuth and Kennedy of Chickasaw.

Rule 70 was invoked.

On the question "Shall the amendment be adopted?"

The ayes were, 36:

Blouin	Hansen	Monroe	Schwieger
Bray	Husak	Norpel	Scott
Camp	Jesse	Patton	Skinner
Clark	Johnston	Priebe	Small
Cochran	Kennedy	Radl	Wells
Dougherty	Kinley	Rodgers	Willits
Doyle	Knoblauch	Sargisson	Wirtz
Dunton	Logemann	Schmeiser	Wyckoff
Ewell	Middleswart	Schwartz	

The nays were, 46:

Anania	Hamilton	Miller	Strand
Andersen	Hill	Moffitt	Stromer
Bergman	Holden	Mollett	Strothman
Christensen	Kehe	Pelton	Taylor
Curtis	Kelly	Pierson	Tieden
Drake	Kreamer	Rex	Trowbridge
Edelen	Kruse	Roorda	Uban
Egenes	Lipsky	Schroeder	Varley
Ellsworth	Mayberry	Shaw	Welden
Fischer, H. O.	McElroy	Siglin	Winkelman
Fisher, C. R.	Mendenhall	Sorg	Mr. Speaker
Freeman	Millen	Stanley	

Absent or not voting, 18:

Alt	Gluba	Lawson	Nystrom
Bennett	Goode	McCormick	Pellett
Campbell	Grassley	Menefee	Stokes
Den Herder	Knoke	Nielsen	Waugh
Franklin	Larson		

The amendment lost.

Johnston of Johnson offered from floor the following amendment to Rule 20 of the Temporary Rules of the House:

Amend the committee on rules amendment to Rule 20 of the Temporary Rules of the House by adding thereto the following new paragraph:

"There may be times when special circumstances dictate that a visitor should be admitted to the House chamber, and at such time may be admitted by the will of the House."

Johnston of Johnson asked and received unanimous consent to withdraw his amendment.

Speaker pro tempore Millen in the chair at 5:10 p.m.

Varley of Adair moved the adoption of amendment 2, lines 4 through 10 of the amendment to Rule 20.

Roll call was requested by Varley of Adair and Cochran of Webster.

On the question "Shall amendment 2 be adopted?"

The ayes were, 51:

Blouin	Johnston	Moffitt	Stanley
Bray	Kehe	Mollett	Strand
Christensen	Kelly	Pelton	Stromer
Cochran	Kennedy	Pierson	Strothman
Curtis	Kinley	Radl	Tieden
Den Herder	Knoblauch	Roorda	Uban
Egenes	Kreamer	Schroeder	Varley
Ellsworth	Kruse	Schwartz	Welden
Fisher, C. R.	Lipsky	Scott	Willits
Hamilton	McCormick	Shaw	Winkelman
Hansen	McElroy	Skinner	Wyckoff
Hill	Middleswart	Small	Mr. Speaker
Holden	Miller	Sorg	(Millen)

The nays were, 29:

Anania	Ewell	Mendenhall	Sargisson
Andersen	Freeman	Monroe	Schmeiser
Bergman	Gluba	Norpel	Schwieger
Clark	Husak	Patton	Siglin
Dougherty	Jesse	Priebe	Trowbridge
Doyle	Logemann	Rex	Wells
Dunton	Mayberry	Rodgers	Wirtz
Edelen			

Absent or not voting, 20:

Alt	Fischer, H. O.	Knoke	Nystrom
Bennett	Franklin	Larson	Pellett
Camp	Goode	Lawson	Stokes
Campbell	Grassley	Menefee	Taylor
Drake	Harbor	Nielsen	Waugh

Amendment 2 of the amendment was adopted.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File 1172, a bill for an act relating to the authority of the state conservation commission and providing a penalty.

CARROLL A. LANE, Secretary

MOTION TO RECONSIDER

(Amendment 1 and Amendment 2 of the Committee on Rules Amendment to Rule 20 of the Temporary Rules of the House)

I move to reconsider the vote by which amendment 1 and amendment 2 of the committee on rules amendment to Rule 20 of the temporary rules of the House were adopted by the House on March 8, 1972.

SCOTT of Cerro Gordo

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Miller of Marshall, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate Files 590, 1019 and 1125.

ELIZABETH R. MILLER
Chairman, House Committee
JOHN C. RHODES
Chairman, Senate Committee

Report adopted.

BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House the following bills: Senate Files 590, 1019 and 1125.

REPORT OF SIFTING COMMITTEE
(NONCONTROVERSIAL CALENDAR)

MR. SPEAKER: Your sifting committee begs leave to report that it had the following bills under consideration and recommends that they be placed on the sifting committee noncontroversial calendar:

- S. F. 274 Relating to age discrimination in employment. By Riley.
- H. F. 1275 Relating to dissolution of marriage. By committee on judiciary.
- H. F. 1266 COMMITTEE BILL—Relating to offer or acceptance of gratuities in business transactions. By committee on county government.
- H. F. 1287 Relating to state reciprocity in the enforcement of support decrees granted in other states. By committee on judiciary.
- H. F. 1271 COMMITTEE BILL—Relating to the time of destruction of certain court records. By committee on judiciary.
- H. F. 1101 Legalize proceedings for establishment in the boundaries of merged area school systems. By Grassley.
- H. F. 1140 Establish a commission on status of women. By Shaw, Lipsky, et al.

VARLEY of Adair, Chairman

AMENDMENTS FILED

- 1 Amend Senate File 1096, Section 14, page 10,
- 2 line 12, by inserting after the word "property" the
- 3 following: "under subsections two (2) through nine
- 4 (9), inclusive, and subsections eleven (11) and

5 twelve (12) of section four hundred twenty-seven
6 point one (427.1) of the Code.”.

DEN HERDER of Sioux
FISHER of Greene

1 Amend Senate File 1101, as amended and passed by
2 the Senate, page 2, by striking from lines 31 through
3 34 the following: *“In the case of a gift of realty,
4 or any deed with nominal consideration or without
5 stated consideration, the consideration shall be the
6 current market value of the property transferred.”*

PRIEBE of Kossuth
FISHER of Greene

1 Amend Senate File 1148, page 4, by adding thereto
2 after line 10, the following section:
3 Sec. Chapter one hundred five A (105A), Code
4 1971, is amended by adding thereto the following
5 section:

6 *“After a handicapped individual is employed, the
7 employer shall not be required under this chapter to
8 promote or transfer such handicapped person to another
9 job or occupation, unless, prior to such transfer,
10 such handicapped person by training or experience is
11 qualified for such job or occupation. Any collective
12 bargaining agreement between an employer and labor
13 organization shall contain this section as a part of
14 such agreement.”*

TIEDEN of Clayton
LAWSON of Cerro Gordo
WELLS of Linn
MAYBERRY of Webster
DRAKE of Muscatine

1 Amend House File 1043 as follows:
2 1. Page 2, line 6, by striking the word *“four-*
3 *teen”* and inserting in lieu thereof the word *“fifteen”*.
4 2. Page 2, lines 13 and 14, by striking the
5 words *“and the state architect provided by section
6 218.58”*.
7 3. Page 2, line 17, by striking the period and
8 adding the following: *“and (5) the chairman of the
9 arts council, and (6) the president of the board of
10 architectural examiners.”*
11 4. Page 3, line 19, by striking the words *“on
12 the capitol grounds”* and inserting in lieu thereof the
13 words *“[on the capitol grounds] at the seat of govern-
14 ment”*.
15 5. Page 3, line 21, by striking the words *“on
16 the state capitol grounds”* and inserting in lieu
17 thereof the words *“[on the state capitol grounds] at
18 the seat of government”*.
19 6. Page 3, lines 27 and 28, by striking the
20 words *“on the capitol grounds”* and inserting in lieu

21 thereof the words "*at the seat of government*".

22 7. Page 3, line 35, by striking the period and
23 adding the following: "*including recommendations*
24 *for solving the space problems. The recommendations*
25 *shall be substantiated by estimates of costs and a*
26 *schedule for accomplishment. The program shall be*
27 *submitted to the executive council and the general*
28 *assembly by July 1, 1973.*"

29 8. Page 4, by striking all of Section 5 and in-
30 serting in lieu thereof the following:

31 Sec. 5. Section eighteen A point five (18A.5),
32 Code 1971, is amended by striking the section and in-
33 serting in lieu thereof the following:

34 18A.5 EXPENSES. The members of the commission
35 shall receive a per diem of forty dollars for attending
36 a meeting of the commission and shall be paid for the
37 actual and necessary expenses while in attendance at
38 any meeting of the commission and in going to and from
39 the seat of government to attend a meeting of such
40 commission. Legislative members will receive no
41 additional compensation and expenses for attending
42 meetings while the general assembly is in session.
43 Expenses and per diem for all members shall be paid
44 from funds appropriated to the commission. Service of
45 the director of the department of general services or
46 his designee shall be an additional duty conferred by
47 statute.

48 9. Page 5, line 27, by striking the word "three"
49 and inserting in lieu thereof the word "four".

50 10. Page 5, lines 30 and 31, by striking the
51 words "one appointee" and inserting in lieu thereof
52 the words "two appointees".

KEHE of Bremer
ALT of Polk

1 Amend House File 1280 as follows:

2 By striking all after the enacting clause and
3 inserting in lieu thereof the following:

4 "Section 1. There is appropriated from the
5 general fund of the state to the state board of
6 regents for use by the University of Northern Iowa
7 for the fiscal year beginning July 1, 1972 and ending
8 June 30, 1973, in addition to appropriations for the
9 biennium beginning July 1, 1971, and ending June 30,
10 1973, the sum of five hundred forty-three thousand
11 (543,000) dollars, or so much thereof as is neces-
12 sary, to be used for salaries, support, maintenance,
13 equipment and miscellaneous purposes."

EGENES of Story

1 Amend House File 1280, page 2, by striking
2 lines 11, 12 and 13.

EGENES of Story

1 Amend House File 1280, page 2, by striking lines
2 4 through 13 and inserting in lieu thereof the fol-
3 lowing:
4 "There is appropriated from the general fund
5 of the state for the fiscal year commencing July 1,
6 1972 and ending June 30, 1973, the sum of five hundred
7 thousand dollars (\$500,000.00) to the agricultural
8 experiment station at the Iowa state university of
9 science and technology to be used for environmental
10 pollution research."

LARSON of Story
BLOUIN of Dubuque

1 Amend House File 1291 as follows:
2 1. Page 2, by striking all of lines 19 and 20
3 and inserting in lieu thereof the following:
4 "Sec. 2. A citizens aide shall be appointed by
5 the".
6 2. By renumbering the following sections.
7 3. Page 2, by adding after line 30 the following
8 new paragraph:
9 "The citizens aide shall employ and supervise
10 all employees under his direction in such positions
11 and at such salaries as shall be authorized by the
12 legislative council."
13 4. Page 7, by striking all of line 32 after
14 the second period and all of lines 33 and 34.
15 5. Page 7, by striking all of line 35.
16 6. Page 8, by striking all of lines 1 through 8.

WELDEN of Hardin

1 Amend House File 1291, page 7, by inserting after
2 line 16 the following:
3 "Any conclusions, recommendations, and suggestions
4 so published shall at the same time be made available
5 to the news media."

SMALL of Johnson
HANSEN of Black Hawk
SCHWIEGER of Black Hawk
GLUBA of Scott
RADL of Linn

On motion by Varley of Adair, the House adjourned until 9:00
a.m., Thursday, March 9, 1972.

JOURNAL OF THE HOUSE

Sixtieth Calendar Day—Forty-fourth Session Day

HALL OF THE HOUSE OF REPRESENTATIVES
DES MOINES, IOWA, THURSDAY, MARCH 9, 1972

The House met pursuant to adjournment, Speaker Harbor in the chair.

Prayer was offered by Father Frahm, pastor of the St. James Episcopal Church, Oskaloosa, Iowa.

The Journal of Wednesday, March 8, 1972, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Charles Hawkins, Clarion, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Franklin of Polk for March 9 and 10 on request of Anania of Polk.

PRESENTATION OF VISITORS

Mendenhall of Allamakee presented to the House the Honorable Walter V. Langland, former member of the House during the Sixty-second and Sixty-third General Assemblies, representing O'Brien County.

Norpel of Jackson presented to the House Miss Debbie Eggers from Andrew, Iowa. Debbie was selected as cover girl for the official program of the girls' state basketball tournament.

The Speaker announced that the following visitors were present in the House chamber:

Twenty-seven fifth grade students from St. Anthony's School, Des Moines, Iowa, accompanied by Loretta McCurnan. By Anania of Polk.

Fifty-five senior students from Lake Mills School, Lake Mills, Iowa, accompanied by Greg Thompson and Elaine Wemmerson. By Logemann of Worth.

Twenty-six students from Griswold Community School, Griswold, Iowa, accompanied by Mr. Youel, Mr. Tysdal and Miss Richards. By Pellett of Cass.

Fifty senior students from Coon Rapids Community High School, Coon Rapids, Iowa, accompanied by Roy Karlson and Wayne Sword. By Knoblauch of Carroll.

Thirty-seven students from Sibley Christian School and Ocheyedan Christian School, accompanied by Don Holwerda and Stan Vanden Berg. By Bergman of Osceola.

Fifty senior government class students from Albert City-Truesdale High School, Albert City, Iowa, accompanied by Roger Henningson, John Morey and Scott Hardie. By Freeman of Buena Vista.

Fifty-five sixth grade students from Franklin Elementary School, Muscatine, Iowa, accompanied by Mrs. O'Neill, Mr. Kiene and Mr. Lange. By Drake of Muscatine.

One hundred fifteen students from Garrigan High School, Algona, Iowa, accompanied by Sister Mary Eugene. By Priebe of Kossuth.

Eight students from Mitchell School, Ames, Iowa, accompanied by Mr. Gray and Steve Hanson. By Wirtz of Palo Alto.

Sixty eighth grade students from St. Mathews School, Cedar Rapids, Iowa, accompanied by Sister Susan and Mary Ellen O'Brien. By Lipsky of Linn.

Forty-seven sixth grade students from Jensen School, Urbandale, Iowa, accompanied by Mrs. Nicholson and Mrs. Drummond. By Willits of Polk.

Ten students from the social studies class of Denison Community Schools, Denison, Iowa, accompanied by Martin L. Peterson. By Waugh of Monona.

Twenty-four eighth grade students from Sacred Heart School, Spencer, Iowa, accompanied by Mrs. Alice Finnegan, Reverend Robert Joynt and Sister Gladys Schmitt. By Freeman of Buena Vista.

Nineteen students from Prairie City Christian School, Prairie City, Iowa, accompanied by Larry Barton, Mrs. Don Plate and Mrs. Dick DeKoning. By Roorda of Jasper.

Ninety-eight eighth grade students from Prairie Junior High School, Callender, Iowa, accompanied by Richard E. Phillips, Mr. and Mrs. Mike Schoneboom, Mike Sorenson, Jerry Payne and Gary Brerner. By Cochran of Webster.

BIRTHDAY CONGRATULATIONS

Miller of Marshall rose on a point of personal privilege and on behalf of the House extended to the Honorable Charles Kno-blauch a "Happy Birthday."

PETITIONS FILED

The following petitions were received and placed on file:

By Winkelman of Calhoun from twenty-two residents of Sac County and Nielsen of Shelby from eighty-five residents of Harrison County favoring House File 95, relating to IPERS benefits.

INTRODUCTION OF BILLS

House File 1295, by committee on appropriations, a bill for an act making an appropriation to the capitol planning commission for the purpose of studying the need, financing and planning for the construction of a state office building.

Read first time and placed on the appropriations calendar.

House File 1296, by committee on appropriations, a bill for an act relating to the appropriation to the office of the geological survey.

Read first time and placed on the appropriations calendar.

House File 1297, by committee on appropriations, a bill for an act relating to continuation of the study of the state mental health institutes and the existing institutions for juveniles under the department of social services.

Read first time and placed on the appropriations calendar.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 123

Welden of Hardin called up for consideration **House Concurrent Resolution 123**, filed on March 3, 1972, and found on page 936 of the House Journal, and moved its adoption.

Motion prevailed and the resolution was adopted.

HOUSE CONCURRENT RESOLUTION 127

By Kreamer, Stanley, Roorda, Den Herder,
Willits, Uban, Skinner and Jesse

Whereas, the problem of property tax exemptions is of real concern to many citizens of this state; and

Whereas, a study of property tax exemptions was conducted during the last interim and a proposal was submitted to the general assembly; and

Whereas, the knowledge gained from the house debate on the bill relating to property tax exemptions indicated the need for additional study in this area of the law; and

Whereas, consultation with groups affected by the tax exemptions may lead to resolving problems with the present property tax exemptions, *Now, Therefore,*

Be It Resolved by the House of Representatives, the Senate Concurring, That the legislative council is authorized to create a study committee, as provided by law, which committee shall include members of the appropriate standing committees of the House of Representatives and the Senate, to conduct during the 1972 interim a comprehensive study of property tax exemptions granted by law; and

Be It Further Resolved, That a report of the study shall be prepared and submitted to the legislative council and the members of the Sixty-fifth General Assembly, First Session, and shall be accompanied by legislative bill drafts to carry out the recommendations of the committee.

Laid over under Rule 25.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has adopted the conference committee report and the amendments contained therein and passed:

House File 1011, a bill for an act relating to the attainment of the age of majority.

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

House File 1156, a bill for an act relating to the Iowa world exposition authority.

Also: I am directed to request the return of Senate File 1091, a bill for an act making an appropriation to the department of public instruction for the purpose of participating in certain federal programs, for further consideration by the Senate.

CARROLL A. LANE, Secretary

SENATE AMENDMENT TO HOUSE FILE 1156

- 1 Amend House File 1156 as amended and passed by the House as
- 2 follows:
- 3 1. Page 2, line 7, by striking the word "eleven" and inserting
- 4 in lieu thereof the word "nine".

- 5 2. Page 2, line 9, by striking the word "Four" and inserting
6 in lieu thereof the word "Five".
- 7 3. Page 2, by striking lines 17 through 21, inclusive.
- 8 4. Page 2, by striking lines 42 through 45, inclusive, and
9 inserting in lieu thereof the following:
10 "Each member is entitled to receive his actual and necessary
11 expenses and thirty dollars compensation for each day spent in
12 performance of authority duties."
- 13 5. Page 3, line 15, by inserting after the word "Assembly" the
14 words "for approval".
- 15 6. Page 3, line 38, by striking the word "Be-" and by striking
16 lines 39 through 43, inclusive.
- 17 7. Page 3, line 43, by inserting after the period the following
18 new sentence:
19 "The authority shall consider each bid of real estate
20 offered in this state as a possible site for the exposition before
21 making the final site selection."
- 22 8. Page 4, by striking lines 17 through 19, inclusive, and by
23 making internal corrections in conformity herewith.
- 24 9. Page 6, line 1, by inserting after the first word "The" the
25 following: "buildings, structures, and improvements placed upon
26 real property and".
- 27 10. Page 6, line 2, by inserting after the period the follow-
28 ing: "The real property upon which any such buildings,
29 structures, or improvements are placed shall be valued,
30 assessed, placed upon the tax rolls and be taxed as provided
31 by law."

SENATE MESSAGE CONSIDERED

Senate File 1172, a bill for an act relating to the authority of the state conservation commission and providing a penalty.

Read first time and referred to the sifting committee.

ADOPTION OF CONFERENCE COMMITTEE REPORT (House File 1011)

Fisher of Greene called up for consideration the conference committee report on House File 1011, a bill for an act relating to the attainment of the age of majority, filed on March 8, 1972, and found on pages 993 through 1009 of the House Journal.

Blouin of Dubuque rose on a point of order that the conference committee report does not comply with the provisions of Rule 12 of the joint rules.

The Speaker ruled the point not well taken.

Fisher of Greene moved the adoption of the conference committee report and all the amendments contained therein.

Roll call was requested by Fisher of Greene and Johnston of Johnson.

Rules 69 and 70 were invoked.

On the question "Shall the conference committee report and the amendments contained therein be adopted?"

The ayes were, 48:

Anania	Fischer, H. O.	Mollett	Siglin
Andersen	Fisher, C. R.	Nielsen	Strand
Bennett	Freeman	Norpel	Stromer
Bergman	Grassley	Nystrom	Strothman
Campbell	Hamilton	Pellett	Taylor
Christensen	Holden	Pierson	Tieden
Den Herder	Kehe	Rex	Trowbridge
Doyle	Kelly	Rodgers	Varley
Drake	Kruse	Roorda	Welden
Dunton	Logemann	Sargisson	Winkelman
Edelen	Mendenhall	Scott	Wirtz
Ellsworth	Miller	Shaw	Wyckoff

The nays were 47:

Alt	Hill	Mayberry	Schroeder
Blouin	Husak	McCormick	Schwartz
Bray	Jesse	McElroy	Schwieger
Camp	Johnston	Middleswart	Skinner
Clark	Kennedy	Millen	Small
Cochran	Kinley	Moffitt	Sorg
Curtis	Knoblauch	Monroe	Stanley
Dougherty	Knoke	Patton	Uban
Egenes	Kreamer	Pelton	Wells
Ewell	Larson	Priebe	Willits
Gluba	Lawson	Radl	Mr. Speaker
Hansen	Lipsky	Schmeiser	

Absent or not voting, 5:

Franklin	Menefee	Stokes	Waugh
Goode			

The report was adopted.

Fisher of Greene moved that the bill be read a last time now and placed upon its repassage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1011)

The ayes were, 71:

Alt	Doyle	Holden	Middleswart
Anania	Drake	Husak	Miller
Andersen	Dunton	Jesse	Mollett
Bennett	Edelen	Johnston	Nielsen
Bergman	Ellsworth	Kehe	Norpel
Blouin	Ewell	Kelly	Nystrom
Camp	Fischer, H. O.	Kinley	Patton
Campbell	Fisher, C. R.	Knoblauch	Pellett
Christensen	Freeman	Kruse	Pierson
Cochran	Gluba	Logemann	Priebe
Den Herder	Grassley	McCormick	Rex
Dougherty	Hamilton	Mendenhall	Rodgers

Roorda	Siglin	Tieden	Willits
Sargisson	Small	Trowbridge	Winkelman
Schroeder	Strand	Varley	Wirtz
Schwartz	Stromer	Waugh	Wyckoff
Scott	Strothman	Welden	Mr. Speaker
Shaw	Taylor	Wells	

The nays were, 25:

Bray	Knoke	McElroy	Schmeiser
Clark	Kreamer	Millen	Schwieger
Curtis	Larson	Moffitt	Skinner
Egenes	Lawson	Monroe	Sorg
Hansen	Lipsky	Pelton	Stanley
Hill	Mayberry	Radl	Uban
Kennedy			

Absent or not voting, 4:

Franklin	Goode	Menefee	Stokes
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The bill having received a constitutional majority was declared to have repassed the House and the title as amended was agreed to.

Fisher of Greene moved that the vote by which House File 1011 passed the House be reconsidered and the motion to reconsider be tabled.

A non-record roll call was requested.

The ayes were 41, nays 50.

The motion lost.

**MOTION TO RECONSIDER
(House File 1011)**

I move to reconsider the vote by which House File 1011 passed the House on March 9, 1972.

BLOUIN of Dubuque

The House was recessed until 1:30 p.m.

AFTERNOON SESSION

The House reconvened, Speaker pro tempore Millen in the chair.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File 1201, a bill for an act appropriating funds to the highway commission for certain capital improvements.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File 1213, a bill for an act relating to the office of secretary of state to defray expenses of election laws.

CARROLL A. LANE, Secretary

SENATE MESSAGE CONSIDERED

Senate File 1201, a bill for an act to appropriate funds to the state highway commission for designated capital improvement programs.

Read first time and passed on file.

SENATE AMENDMENTS CONSIDERED

Drake of Muscatine called up for consideration the Senate amendment to House File 1147, a bill for an act relating to the election laws and providing penalties for violation thereof, filed on March 6, 1972, and found on pages 941 through 944 of the House Journal.

Small of Johnson offered the following amendment to the Senate amendment and moved its adoption:

Amend the Senate amendment to House File 1147 as follows:

1. Page 5, line 15, by striking the word "home" and inserting in lieu thereof the word "residence".
2. Page 5, line 16, by striking the word "home" where it appears in two places, and inserting in lieu thereof the word "residence" in both places.

A non-record roll call was requested.

The ayes were 34, nays 48.

The amendment lost.

Division of the Senate amendment was requested.

Drake of Muscatine moved that the House concur in amendments 1 through 15, lines 1 through 104 and amendments 17 through 23, lines 122 through 177 of the Senate amendment.

Motion prevailed and the House concurred in amendments 1 through 15 and amendments 17 through 23 of the Senate amendment.

Kennedy of Chickasaw offered from the floor the following amendment to amendment 16 of the Senate amendment and moved its adoption:

Amend amendment 16 of the Senate amendment to House File 1147 by striking all after the word "age" in line 114 and through the word "qualifications" in line 115.

The amendment to the Senate amendment was adopted.

Kennedy of Chickasaw moved that the House concur in amendment 16, lines 105 through 121 of the Senate amendment as amended by the House.

A non-record roll call was requested.

The ayes were 45, nays 41.

The motion prevailed and the House concurred in amendment 16 of the Senate amendment as amended by the House.

Cochran of Webster moved that the House reconsider the vote by which the House concurred in amendment 16 of the Senate amendment as amended by House.

Roll call was requested by Cochran of Webster and Blouin of Dubuque.

Rules 69 and 70 were invoked.

On the question "Shall the House reconsider the vote by which the House concurred in amendment 16 of the Senate amendment as amended?"

The ayes were, 43:

Anania	Egenes	Knoke	Rodgers
Bennett	Ewell	Larson	Sargisson
Blouin	Gluba	Mayberry	Schwartz
Bray	Hansen	McCormick	Scott
Clark	Hill	Middleswart	Skinner
Cochran	Husak	Moffitt	Small
Curtis	Jesse	Monroe	Uban
Dougherty	Johnston	Norpel	Wells
Doyle	Kennedy	Patton	Willits
Dunton	Kinley	Pelton	Wyckoff
Edelen	Knoblauch	Priebe	

The nays were, 47:

Alt	Grassley	Nystrom	Strand
Andersen	Holden	Pellett	Strothman
Bergman	Kehe	Pierson	Taylor
Camp	Kelly	Radl	Tieden
Campbell	Kreamer	Rex	Trowbridge
Christensen	Kruse	Roorda	Varley
Den Herder	Lawson	Schroeder	Waugh
Drake	Lipsky	Schwieger	Welden
Ellsworth	McElroy	Shaw	Winkelman
Fischer, H. O.	Mendenhall	Siglin	Wirtz
Fisher, C. R.	Miller	Sorg	Mr. Speaker
Freeman	Nielsen	Stanley	(Millen)

Absent or not voting, 10:

Franklin	Harbor	Mollett	Stokes
Goode	Logemann	Schmeiser	Stromer
Hamilton	Menefee		

The motion lost.

(House File 1147 pending.)

SIFTING COMMITTEE CALENDAR

Senate File 1148, a bill for an act relating to the civil rights of physically and mentally handicapped persons, with report of committee recommending passage, was taken up for consideration.

Tieden of Clayton offered the following amendment filed by Tieden, et al., and moved its adoption:

Amend Senate File 1148, page 4, by adding thereto after line 10, the following section:

Sec. Chapter one hundred five A (105A), Code 1971, is amended by adding thereto the following section:

"After a handicapped individual is employed, the employer shall not be required under this chapter to promote or transfer such handicapped person to another job or occupation, unless, prior to such transfer, such handicapped person by training or experience is qualified for such job or occupation. Any collective bargaining agreement between an employer and labor organization shall contain this section as a part of such agreement."

A non-record roll call was requested.

The ayes were 44, nays 34.

The amendment was adopted.

Cochran of Webster offered the following amendment filed by him and moved its adoption:

Amend Senate File 1148 by adding the following new section:

"Sec. Section one hundred five A point five (105A.5), subsections five (5) and seven (7), Code 1971, are amended to read as follows:

5. To issue such publications and reports of investigations and research as in the judgment of the commission shall tend to promote good will among the various racial, religious, and ethnic groups of the state and which shall tend to minimize or eliminate discrimination in public accommodations, employment, apprenticeship and on-the-job training programs, vocational schools, or housing because of race, creed, color, sex, national origin, religion, [or] ancestry, *or disability*.

7. To make recommendations to the general assembly for such further legislation concerning discrimination because of race, creed, color, sex, national origin, religion, [or] ancestry, *or disability* as it may deem necessary and desirable."

The amendment was adopted.

Varley of Adair moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 1148)

The ayes were, 79:

Alt	Fischer, H. O.	Mayberry	Schwieger
Anania	Fisher, C. R.	McCormick	Scott
Andersen	Freeman	McElroy	Shaw
Bennett	Gluba	Mendenhall	Skinner
Bergman	Grassley	Middleswart	Small
Blouin	Hansen	Millen	Sorg
Camp	Hill	Moffitt	Stanley
Campbell	Holden	Monroe	Strand
Christensen	Husak	Nielsen	Strothman
Clark	Jesse	Norpel	Taylor
Cochran	Johnston	Nystrom	Tieden
Curtis	Kelly	Patton	Trowbridge
Den Herder	Kennedy	Pellett	Urban
Dougherty	Kinley	Pierson	Varley
Doyle	Knoblauch	Priebe	Wells
Drake	Kreamer	Rex	Willits
Dunton	Kruse	Rodgers	Winkelman
Edelen	Larson	Sargisson	Wyckoff
Egenes	Lawson	Schroeder	Mr. Speaker
Ellsworth	Lipsky	Schwartz	(Millen)
Ewell			

The nays were, 3:

Kehe	Radl	Roorda
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Absent or not voting, 18:

Bray	Knoke	Pelton	Stromer
Franklin	Logemann	Schmeiser	Waugh
Goode	Menefee	Siglin	Welden
Hamilton	Miller	Stokes	Wirtz
Harbor	Mollett		

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

Speaker Harbor in the chair at 3:45 p.m.

APPROPRIATIONS CALENDAR

House File 1292, a bill for an act to increase the allocation for construction of state institutional roads and state park roads, was taken up for consideration.

Camp of Clinton moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1292)

The ayes were, 69:

Alt	Ellsworth	McElroy	Scott
Anania	Fischer, H. O.	Mendenhall	Siglin
Andersen	Fisher, C. R.	Middleswart	Skinner
Bennett	Freeman	Moffitt	Small
Bergman	Gluba	Monroe	Sorg
Blouin	Grassley	Nielsen	Stanley
Camp	Hansen	Norpel	Strand
Campbell	Holden	Nystrom	Strothman
Christensen	Husak	Patton	Tieden
Clark	Jesse	Pellett	Trowbridge
Cochran	Johnston	Pierson	Varley
Curtis	Kehe	Rodgers	Waugh
Den Herder	Kelly	Roorda	Wells
Dougherty	Kinley	Sargisson	Willits
Doyle	Knoblauch	Schroeder	Winkelman
Dunton	Lawson	Schwartz	Wyckoff
Edelen	Mayberry	Schwieger	Mr. Speaker
Egenes			

The nays were, 8:

Bray	Kennedy	McCormick	Taylor
Hill	Larson	Radl	Uban

Absent or not voting, 23:

Drake	Kreamer	Miller	Shaw
Ewell	Kruse	Mollett	Stokes
Franklin	Lipsky	Pelton	Stromer
Goode	Logemann	Priebe	Welden
Hamilton	Menefee	Rex	Wirtz
Knoke	Millen	Schmeiser	

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

Senate File 1188, a bill for an act relating to the publication of educational and scientific reports by the state archaeologist, with report of committee recommending passage, was taken up for consideration.

Camp of Clinton moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 1188)

The ayes were 77:

Alt	Christensen	Edelen	Holden
Anania	Clark	Egenes	Husak
Andersen	Cochran	Fisher, C. R.	Jesse
Bennett	Curtis	Freeman	Johnston
Bergman	Den Herder	Gluba	Kehe
Blouin	Dougherty	Grassley	Kennedy
Bray	Doyle	Hansen	Kinley
Camp	Dunton	Hill	Knoblauch

Kreamer	Monroe	Schroeder	Taylor
Kruse	Nielsen	Schwartz	Tieden
Larson	Norpel	Schwieger	Trowbridge
Lipsky	Nystrom	Scott	Varley
Logemann	Patton	Siglin	Waugh
Mayberry	Pellett	Skinner	Welden
McCormick	Pierson	Small	Wells
McElroy	Priebe	Sorg	Willits
Mendenhall	Rodgers	Stanley	Winkelman
Middleswart	Roord	Strand	Wyckoff
Millen	Sargisson	Strothman	Mr. Speaker
Moffitt			

The nays were, none.

Absent or not voting, 23:

Campbell	Goode	Miller	Shaw
Drake	Hamilton	Mollett	Stokes
Ellsworth	Kelly	Pelton	Stromer
Ewell	Knoke	Radl	Uban
Fischer, H. O.	Lawson	Rex	Wirtz
Franklin	Menefee	Schmeiser	

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

ADOPTION OF SENATE CONCURRENT RESOLUTION 105

Skinner of Polk called up for consideration **Senate Concurrent Resolution 105**, filed on February 29, 1972, and found on page 856 of the House Journal, and moved its adoption.

Motion prevailed and the resolution was adopted.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 111

Pierson of Mahaska called up for consideration **House Concurrent Resolution 111**, filed on February 16, 1972, and found on pages 496 and 497 of the House Journal, and moved its adoption.

Motion prevailed and the resolution was adopted.

SENATE AMENDMENTS CONSIDERED

Den Herder of Sioux called up for consideration **House File 217**, a bill for an act relating to the board of parole, amended by the Senate, and moved that the House concur in the following Senate amendment:

Amend House File 217 as passed by the House as follows:

1. Page 1, line 8, by inserting after the period the following: "The board of parole shall employ not less than two persons who shall serve as liaison personnel between the board, inmates and staff at the state's penal and correctional

facilities and who shall perform other duties designated by the board of parole."

2. Page 1, by inserting after line 12 the following new section:

Sec. Section two hundred forty-seven A point three (247A.3), Code 1971, is amended to read as follows:

"247A.3 COMMITTEE. A committee shall be designated by the department consisting of one [representative] *member* of the parole board *or its designee*, one representative of the division of [rehabilitation services] *corrections*, and one representative of the institution in which the inmate is confined at the time of application."

Motion prevailed and the House concurred in the Senate amendment.

Den Herder of Sioux moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its repassage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 217)

The ayes were, 80:

Alt	Freeman	McCormick	Scott
Anania	Gluba	McElroy	Shaw
Andersen	Grassley	Mendenhall	Siglin
Bennett	Hansen	Millen	Skinner
Bergman	Hill	Moffitt	Small
Blouin	Husak	Monroe	Sorg
Bray	Jesse	Nielsen	Stanley
Camp	Johnston	Norpel	Strand
Christensen	Kehe	Patton	Strothman
Clark	Kelly	Pellett	Taylor
Cochran	Kennedy	Pierson	Tieden
Curtis	Kinley	Priebe	Trowbridge
Den Herder	Knoblauch	Radl	Varley
Dougherty	Kreamer	Rex	Waugh
Doyle	Kruse	Rodgers	Welden
Dunton	Larson	Roorda	Wells
Edelen	Lawson	Sargisson	Willits
Egenes	Lipsky	Schroeder	Winkelman
Fischer, H. O.	Logemann	Schwartz	Wyckoff
Fisher, C. R.	Mayberry	Schwieger	Mr. Speaker

The nays were, 1:

Uban

Absent or not voting, 19:

Campbell	Goode	Middleswart	Schmeiser
Drake	Hamilton	Miller	Stokes
Ellsworth	Holden	Mollett	Stromer
Ewell	Knoke	Nystrom	Wirtz
Franklin	Menefee	Pelton	

The bill having received a constitutional majority was declared to have repassed the House and the title as amended was agreed to.

SENATE FILE 1201 SUBSTITUTED FOR HOUSE FILE 1293

Camp of Clinton asked and received unanimous consent to substitute Senate File 1201 for House File 1293.

Camp of Clinton asked and received unanimous consent to take up for immediate consideration Senate File 1201, a bill for an act to appropriate funds to the state highway commission for designated capital improvement programs.

(Senate File 1201 pending at adjournment.)

HOUSE FILE 1293 WITHDRAWN

Camp of Clinton asked and received unanimous consent to withdraw House File 1293 from further consideration by the House.

REPORT OF SIFTING COMMITTEE
(NONCONTROVERSIAL CALENDAR)

MR. SPEAKER: Your sifting committee begs leave to report that it had the following bills under consideration and recommends that they be placed on the sifting committee noncontroversial calendar:

- H. F. 1249 COMMITTEE BILL—Relating to eligibility for old-age assistance. By committee on social services.
- S. F. 1026 Relating to actions arising out of injuries or damages caused by the operation of a motor boat. By Arbuckle.
- S. F. 1172 Relating to the authority of the state conservation commission. By committee on conservation and recreation.
- S. F. 1198 To allow cities and towns to extend agreements to refrain from annexing specifically described territory. By committee on ways and means.
- S. F. 1110 Legalize a transfer of real property from board of directors of Prairie Community School District, Gowrie, Iowa. By committee on judiciary.
- S. F. 1057 Relating to exceptions to the time limits during which certain civil actions must be brought. By Van Drie.
- H. F. 1066 Relating to a pamphlet on the use of alcoholic liquor and beer. By Rodgers.
- H. F. 1290 Relating to the department of general services. By committee on state government.

VARLEY of Adair, Chairman

REPORT OF SIFTING COMMITTEE

MR. SPEAKER: Your sifting committee begs leave to report that it had the following bills under consideration and recommends that they be placed on the sifting committee calendar:

- S. F. 1158 Authorizing cities and towns to acquire, improve, equip and lease pollution control facilities. By committee on Iowa development.
- S. F. 1169 Relating to references to the internal revenue code in the computation of individual and corporate income tax and franchise tax. By committee on ways and means.
- H. F. 1274 COMMITTEE BILL—Relating to implied consent test for alcohol. By committee on law enforcement.
- S. F. 523 Relating to the tax exemption on forest and fruit-tree reservations. By committee on ways and means.

VARLEY of Adair, Chairman

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Miller of Marshall, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate File 1069.

ELIZABETH R. MILLER
Chairman, House Committee
JOHN C. RHODES
Chairman, Senate Committee

Report adopted.

BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House the following bill: Senate File 1069.

AMENDMENTS FILED

- 1 Amend Senate File 163 as follows:
- 2 By striking lines 25 through 26 and inserting in lieu
- 3 thereof the following:
- 4 "eleven point six (411.6), subsection ten (10), of the
- 5 Code."
- 6 Sec. 3. Section four hundred eleven point six (411.6),
- 7 subsection fourteen (14), Code 1971, is amended by adding
- 8 the following new paragraph:
- 9 "e. A retired member who became eligible for benefits
- 10 under the provisions of Section four hundred eleven point
- 11 six (411.6), subsection one (1) but who did not serve
- 12 twenty-two years and did not attain the age of fifty-five

13 years prior to his termination of employment shall not be
 14 eligible for the annual readjustment of pensions provided
 15 for by this subsection."

16 By striking in line 13 the word "ten" and inserting in
 17 lieu thereof the word "fifteen".

18 By striking in line 16 the word "ten" and inserting in
 19 lieu thereof the word "fifteen".

20 By striking in lines 32 and 34 the figure "10" and
 21 inserting in lieu thereof the figure "15".

SKINNER of Polk
 WELLS of Linn
 SORG of Linn

1 Amend House File 1043 as follows:

2 1. Page 2, by striking lines 1 through 20, in-
 3 clusive, and inserting in lieu thereof the following:

4 "Section 1. Section eighteen A point one (18A.1),
 5 Code 1971, as amended by chapter eighty-four (84),
 6 section seventy (70), Acts of the Sixty-fourth General
 7 Assembly, First Session, is amended by striking the
 8 section and inserting in lieu thereof the following:

9 18A.1 COMMISSION CREATED. There is hereby
 10 created the capitol planning commission composed of
 11 thirteen members appointed as follows:

12 (1) Four members of the general assembly, two
 13 to be appointed by the speaker of the house from the
 14 membership of the house of representatives, and two
 15 to be appointed by the lieutenant governor from the
 16 membership of the Senate.

17 (2) Three residents of the state of Iowa
 18 appointed by the governor.

19 (3) The director of the department of general
 20 services or his designee.

21 (4) The curator of the Iowa state department of
 22 history and archives.

23 (5) The department head of landscape architec-
 24 ture at Iowa state university of science and tech-
 25 nology.

26 (6) The president of the board of architectural
 27 examiners.

28 (7) The president of the board of curators of
 29 the state historical society.

30 (8) The chairman of the Iowa state arts council.

31 The members of the commission appointed by the
 32 governor shall be qualified by experience or education
 33 to aid the commission to carry out its duties."

34 2. Page 3, line 19, by striking the words "on
 35 the capitol grounds" and inserting in lieu thereof the
 36 words "[on the capitol grounds] *at the seat of govern-*
 37 *ment*".

38 3. Page 3, line 21, by striking the words "on
 39 the state capitol grounds" and inserting in lieu
 40 thereof the words "[on the state capitol grounds] *at*
 41 *the seat of government*".

42 4. Page 3, lines 27 and 28, by striking the

43 words "on the capitol grounds" and inserting in lieu
44 thereof the words "at the seat of government".

45 5. Page 3, line 31, by adding the following
46 after the period:

47 "If any alteration or repair of the state capitol
48 is approved, it shall conform to the original appear-
49 ance and architectural style and before construction
50 shall begin, the detailed plans and drawings shall be
51 submitted to the capitol planning commission for ap-
52 proval. The capitol planning commission may review
53 any alteration to the state capitol previously made
54 and may order restoration or changes so that the
55 original appearance and architectural style is pre-
56 served."

57 6. Page 3, line 35, by striking the period and
58 adding the following: "*including recommendations*
59 *for solving the space problems. The recommendations*
60 *shall be substantiated by estimates of costs and a*
61 *schedule for accomplishment. The program shall be*
62 *submitted to the executive council and the general*
63 *assembly by July 1, 1973."*

64 7. Page 4, by striking all of Section 5 and in-
65 serting in lieu thereof the following:

66 Section eighteen A point five (18A.5), Code
67 1971, is amended by striking the section and insert-
68 ing in lieu thereof the following:

69 18A.5 EXPENSES. The members of the commission
70 shall receive a per diem of forty dollars for attend-
71 ing a meeting of the commission and shall be paid for
72 the actual and necessary expenses while in attendance
73 at any meeting of the commission and in going to and
74 from the seat of government to attend a meeting of
75 such commission. Legislative members will receive no
76 additional compensation and expenses for attending
77 meetings while the general assembly is in session.
78 Expenses and per diem for all members shall be paid
79 from funds appropriated to the commission. Service of
80 the director of the department of general services or
81 his designee shall be an additional duty conferred by
82 statute.

83 8. Page 5, by striking lines 27 through 35.

84 9. Page 6, by striking line 1.

LIPSKY of Linn
ALT of Polk
KEHE of Bremer

1 Amend the Senate amendment to House File 1147 as
2 follows:

3 1. By striking from lines 12 and 13 the following:
4 "delivered by such city to the county commissioner of
5 registration" and inserting in lieu thereof the
6 following: "under the jurisdiction of the county
7 commissioner of registration who shall designate the
8 location of such records".

- 9 2. Further amend the Senate amendment by adding
 10 thereto the following:
 11 24. Page 7, line 18, after the word "office"
 12 insert the words "or other designated locations".
 13 25. Page 7, line 21, after the word "office"
 14 insert the words "or other designated locations".

DRAKE of Muscatine
 HANSEN of Black Hawk
 UBAN of Black Hawk

- 1 Amend House File 1214 as follows:
 2 1. Page 2, line 19, by adding after the period the
 3 following:
 4 "The implementation or salary adjustments shall be
 5 made under the Iowa merit employment commission rules
 6 and regulations in effect on March 1, 1972."
 7 2. Page 2, line 26, by striking the word "This"
 8 and inserting in lieu thereof the words "Except as
 9 provided in section five (5), this".
 10 3. Page 2, following line 28 insert the following
 11 new section:
 12 "Sec. 5. Any salary adjustments or implementations
 13 of any changes in the classification and pay plan for
 14 the fiscal year beginning July 1, 1972 which relate
 15 to funds other than the general fund of the state
 16 shall be carried out in the same manner and under the
 17 same rules and regulations as changes made for the
 18 general fund accounts as provided in this Act."

CAMP of Clinton

- 1 Amend House File 1289 by inserting after the
 2 comma on page five, line 32, the following: "except
 3 public highways, roads and streets and related
 4 highway facilities,".

DRAKE of Muscatine
 KEHE of Bremer
 LAWSON of Cerro Gordo
 COCHRAN of Webster

- 1 Amend House File 1291, page 8, by inserting
 2 the following after the period in line 30: "The
 3 salary of the citizens' aide shall be set by the
 4 legislative council and shall not exceed eighty
 5 percent of the salary appropriated for the attorney
 6 general."

FISCHER of Grundy
 KEHE of Bremer
 HOLDEN of Scott
 STANLEY of Linn
 MILLEN of Van Buren
 FREEMAN of Buena Vista

1 Amend House File 1294, page 2, by striking all of
2 lines 8, 9 and 10 and inserting in lieu thereof the
3 following sections:

4 Sec. 2. The State of Iowa is authorized to become
5 indebted in the amount of thirty million dollars and
6 in evidence thereof there shall be issued and sold
7 negotiable coupon bonds of the state as hereinafter
8 provided, and the proceeds thereof shall be paid
9 into the state treasury to be expended for the pay-
10 ment of obligations incurred by the world exposition
11 authority under the provisions of House File 1156
12 as passed by the Sixty-fourth General Assembly and
13 Section 1 of this Act.

14 Sec. 3. ADMINISTRATION BY TREASURER OF STATE.

15 The treasurer of state is directed to cause to be
16 prepared negotiable coupon bonds of this state in
17 the amount of thirty million dollars, such bonds
18 to bear interest at an annual rate as specified in
19 the bids received, which interest shall be paid
20 semiannually. Such bonds shall be issued so that
21 said indebtedness shall be payable in ten annual
22 installments, the last of which shall be within
23 eleven years from the date of issue. The bonds
24 shall be signed by the governor under the great
25 seal of the state, attested by the secretary of
26 state and countersigned by the treasurer of state,
27 and the full faith, credit and taxing resources of
28 the state of Iowa shall be pledged for the payment
29 thereof. The interest coupons attached to the bonds
30 shall bear the lithographed facsimile signatures of
31 said officials. The treasurer of state shall sell
32 the bonds to obtain funds to carry out the provisions
33 of House File 1156. The bonds shall be sold at not
34 less than the par value thereof and accrued interest
35 thereon to the highest responsible bidder after adver-
36 tising as provided in section six point two (6.2) of the Code.

37 Sec. 4. TAX IMPOSED—ADMINISTRATION.

38 1. The director of revenue shall each year levy
39 on all real and tangible personal property in the
40 state, which is subject to taxation, a uniform levy
41 sufficient to provide funds to make interest and
42 principal payments on bonds outstanding, which have
43 been issued under the provisions of section two (2) of
44 this Act.

45 2. The provisions of this section shall be
46 effective for all taxable years beginning on or after
47 January 1, 1973.

48 3. There is created in the office of the treasurer
49 of state a sinking fund into which shall be deposited
50 all funds received from the taxes imposed by this
51 section.

52 4. Taxes imposed by this section shall cease to be
53 imposed so long as the state comptroller determines
54 and certifies that the funds in the sinking fund will
55 be sufficient to pay the principal and interest due

56 on all outstanding bonds to the date of maturity and
57 the last taxable year of each taxpayer that ends
58 before such certification shall be the last taxable
59 year for which the tax shall be imposed on and collect-
60 ed from such taxpayer.

WELDEN of Hardin
KEHE of Bremer
FISCHER of Grundy

On motion by Varley of Adair, the House adjourned until 9:00
a.m., Friday, March 10, 1972.

JOURNAL OF THE HOUSE

Sixty-first Calendar Day—Forty-fifth Session Day

HALL OF THE HOUSE OF REPRESENTATIVES
DES MOINES, IOWA, FRIDAY, MARCH 10, 1972

The House met pursuant to adjournment, Speaker Harbor in the chair.

Prayer was offered by the Reverend Gilbert Fields, pastor of the St. Marks Methodist Church, Cedar Rapids, Iowa.

The Journal of Thursday, March 9, 1972, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Charles Hawkins, Clarion, Iowa.

SPECIAL PRESENTATION

Willits of Polk presented to the House his secretary, Constance "Connie" Eichhorn, who was chosen Queen of the House at the Pages' Ball held Thursday evening, March 9, 1972.

The House extended its congratulations to the Queen.

SPECIAL PRESENTATION

Fisher of Greene presented to the House and escorted to the Speaker's Station Judy Merritt from Guthrie Center, who was crowned queen of the 1972 girls basketball tournament. Judy is the leading scorer for the Tigerettes from Guthrie Center, has maintained a straight "A" grade average through high school, is active in 4-H and church work, is a member of the high school band and honor band, and last year was named to the second all state softball team and an outstanding teenager of America.

Fisher of Greene also presented seven senior students and members of the basketball team from Guthrie Center High School accompanied by their coach, Rich Hanson.

The House extended its welcome.

PRESENTATION OF VISITORS

Camp of Clinton presented to the House Anka Romanova of Yugoslavia, a Youth for Understanding exchange student who is attending school in Miles, Iowa, and Rachel Flemming, her American sister and former page of the House during the Sixty-third General Assembly, and daughter of Mr. and Mrs. Robert Flemming of Miles, Iowa.

The Speaker announced that the following visitors were present in the House chamber:

Forty-two sixth and seventh grade students from St. Peters School, Des Moines, Iowa, accompanied by Sue Felice. By Anania of Polk.

Twenty-one students and members of the Farragut High School, Farragut, Iowa, basketball team, accompanied by their coach, Mr. Plummer. By McElroy of Fremont.

Thirty eighth grade students from St. Theresa's School, Des Moines, Iowa, accompanied by Mrs. Boecker. By Hill of Polk and Kreamer of Polk.

One hundred thirty-five eighth grade students from Winterset Junior High School, Winterset, Iowa, accompanied by Jerry Scholten. By Siglin of Lucas.

Thirty senior students from Waukee Community School, Waukee, Iowa, accompanied by Mr. Lewis. By Rodgers of Dallas.

Twelve students from Western Christian High School, Hull, Iowa, accompanied by Ken Draayer. By Den Herder of Sioux.

Fifty senior students from Indianola High School, Indianola, Iowa, accompanied by Pat Beckerdite. By Middleswart of Warren.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File 1171, a bill for an act relating to the licensing of vehicles from which food and dairy products are sold.

Also: That the Senate has adopted the following concurrent resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution 110, encouraging each citizen of Iowa to observe Arbor Day.

Also: That the Senate has adopted the following concurrent resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution 123, recommending that the executive council approve the purchase of disability income protection and life insurance protection for each employee of the state.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File 219, a bill for an act relating to the use of carbon tetrachloride fire extinguishers.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File 544, a bill for an act relating to the soldiers relief commission.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File 1071, a bill for an act legalizing the indebtedness of the Audubon County Agricultural Society.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File 1253, a bill for an act relating to the use of ambulance services at the university hospital.

CARROLL A. LANE, Secretary

SENATE AMENDMENT CONSIDERED

UNFINISHED BUSINESS CALENDAR

The House resumed consideration of the following Senate amendment to House File 1147:

Amend House File 1147, as amended, passed, and reprinted by the House as follows:

1. Page 2A, by striking from lines 25 and 26 the words "including registration records,".
2. Page 2A, by inserting after the period in line 27 the following new sentences: "All of the present records of registration, precinct books, and all other documents and papers pertaining to the registration of electors or those electors who are currently registered that are upon the effective date of this Act, in the care, custody and control of a city subject to the provisions of chapter forty-eight (48) of the Code, shall be delivered by such city to the county commissioner of registration. Such records that establish that an elector is currently registered and all precinct pollbooks shall be valid, and may be used by the county commissioner of registration in all subsequent elections as provided in this Act. An elector who is validly registered to vote upon the effective date of this Act, shall remain so registered and shall be entitled to vote in all subsequent elections as provided in this Act."
3. Page 4, line 3, by striking the words "*or city*".
4. Page 5, by adding after line 18 the following:

"FOR TOWNSHIP CLERK

(Vote for one.)

..... Dolores Black
 John Raymond

"FOR TOWNSHIP TRUSTEES

(Vote for two.)

..... Margaret Jones
 William Jones
 H. S. Wilson
 "

5. Page 5, by striking line 24 and inserting in lieu thereof the following: "election, except township[, city or town] officers. Such".

6. Page 5, by striking lines 28 and 29 and inserting in lieu thereof the following: "publication shall be in not less than two newspapers within the county, representing, if possible,".

7. Page 6, line 12, by striking the word "Precinct" and inserting in lieu thereof "A branch office of".

8. Page 6, by inserting after the period in line 24 the following new sentence: "Notwithstanding the provisions of this section, the commissioner of registration may also appoint a city clerk as a deputy."

9. Page 7, line 3, by striking the words "city or county" and inserting in lieu thereof the following: "[city or county] *cities and counties*".

10. Page 7, line 31, by inserting after the word "party" the words "polling in excess of two percent of the popular vote in the county in the last preceding general election".

11. Page 7, by inserting after the period in line 31 the following new sentences: "If the county commissioner of registration maintains a computerized list of qualified electors by precinct, he shall, upon demand and without charge, on August first prior to the general election, provide the county chairman for each political party, a complete list of all qualified electors, by precinct, within the county. The county commissioner of registration, if computerized lists of qualified electors are maintained shall, each week, upon demand and without charge, from August first until October first, prior to the general election and each day, or on each day thereafter that the computerized list is updated, until the close of registration, provide the county chairman of each political party a list of electors who have registered since the last such list was provided."

12. Page 7, by inserting after line 34 the following new paragraph:

"Such lists shall not be used for any commercial purpose, advertising, or solicitation, of any kind or nature, other than to request such person's vote at a primary or general election, or any other bona fide political purpose. The commission shall keep a list of the name, address, telephone number, and social security number of each person who copies

or duplicates of such lists. Any person, firm, or corporation that uses such lists in violation of this section shall, upon conviction, be imprisoned in the county jail, not to exceed one year, or be fined not to exceed one thousand dollars, or by both such fine and imprisonment, for each violation."

13. Page 11A, by striking all of line 33 after the word "felonies", and by striking all of lines 34 and 35 and inserting in lieu thereof the following: " , of legal declarations of mental incompetence and of diagnosis of severe or profound mental retardation, or of severe psychiatric illness of persons of voting age."

14. Page 12, line 12, by striking the word "four" and inserting in lieu thereof the words "the last preceding four consecutive".

15. Page 12, lines 19 and 20, by striking the words "an idiot or insane person or mentally ill" and inserting in lieu thereof the following: "severely or profoundly mentally retarded, or has been diagnosed as ill for severe psychiatric reasons, or under conservatorship or guardianship by reason of incompetency. Certification by the superintendent of a mental health hospital or other institution upon the discharge of any such person that he is, at that time, restored to good mental health shall qualify such person to again be an elector, subject to the other provisions of this chapter. Termination by the court of any such conservatorship or guardianship shall qualify any such ward to again be an elector, subject to the other provisions of this chapter".

16. Page 17, by adding after line 22, the following new section:

In case of all challenges of electors at the time he is offering to vote in a precinct, an election judge may place such person under oath and question him as, (1) where he maintains his home; (2) how long he has maintained his home at such place; (3) if he maintains a home at any other location; (4) his age; (5) and any other facts which will bear upon his qualifications. The election judge may permit the challenger to participate in such questions. The

"Sec. Chapter forty-nine (49), Code 1971, is hereby amended by adding the following new section thereto: challenged elector shall be allowed to present to the judge such evidence and facts that he feels sustains the fact that he is qualified to vote. Upon completion thereof, the election judge hearing the challenge shall determine if the challenged elector shall be allowed to vote."

17. Page 18, line 16, by striking the figure "53.11" and inserting in lieu thereof the words and figure "fifty-three point eleven (53.11) of the Code".

18. Page 19B, line 40, by striking the words "precinct pollbooks and".

19. Page 19B, by inserting after line 42 the following new paragraph:

"In nonregistration areas, not later than thirty days from the date of the official canvass, the affidavits of absentee voters shall be cross-checked with the precinct pollbooks to insure that no one has voted twice, in violation of law."

20. Page 20, by inserting after line 12 the following new sections:

"Sec. Section four hundred forty-four point nine (444.9), subsection two (2), Code 1971, is amended by striking unnumbered paragraph two (2).

Sec. Chapter four hundred forty-four (444), Code 1971, is amended by adding the following new section:

'ELECTION EXPENSE FUND. There is created in the office of the county treasurer of each county a fund to be known as the election expense fund. Annually, the board of supervisors shall levy an amount sufficient to pay the costs of elections and voter registration, pursuant to chapter forty-eight (48) of the Code, incurred by the county. The funds deposited in this account shall be used to pay election and voter registration costs and shall not be appropriated for any other purposes or transferred into any other county fund. Any monies budgeted by any county for the conducting of elections in the year 1972, shall be transferred to this fund. If additional funds are needed to register voters, pursuant to chapter forty-eight (48) of the Code, after the effective date of this Act, and until July 1, 1973, such costs shall be certified by the county commissioner of registration to the board of supervisors, who shall, after approving the costs thereof, authorize the issuance of anticipatory warrants pursuant to section three hundred thirty-four point five (334.5) of the Code, to pay such additional costs. The monies necessary to redeem such warrants shall be part of the levy for the next year.'

Sec. Section seven hundred thirty-eight point seven (738.7), Code 1971, is amended to read as follows:

738.7 VOTING MORE THAN ONCE. If any elector unlawfully votes more than once at any election which may be held by virtue of any law of this state, he shall be fined not exceeding [two] *three* hundred dollars, or be imprisoned in the county jail not exceeding one year."

21. Page 21, line 12, by inserting after the figure "(48.14)," the words and figure "forty-eight point eighteen (48.18),"

22. Page 22, line 2, by inserting after the figure "(53.10)," the words and figure "fifty-six point eight (56.8),"

23. Renumber sections and correct internal references as necessary in accordance with this amendment.

Drake of Muscatine moved to reconsider the vote by which the House concurred in amendments 1 through 15 and amendments 17 through 23 of the Senate amendment on March 9, 1972.

The motion prevailed.

Drake of Muscatine offered the following amendment to amendments 1 through 15 and amendments 17 through 23 of the Senate amendment filed by Drake, Hansen and Uban on March 9, 1972:

Amend the Senate amendment to House File 1147 as follows:

1. By striking from lines 12 and 13 the following: "delivered by such city to the county commissioner of registration" and inserting in lieu thereof the following: "under the jurisdiction of the county commissioner of registration who shall designate the location of such records".

2. Further amend the Senate amendment by adding thereto the following:

24. Page 7, line 18, after the word "office" insert the words "or other designated locations".

25. Page 7, line 21, after the word "office" insert the words "or other designated locations".

The amendment to the Senate amendment was adopted.

Drake of Muscatine moved that the House concur in amendments 1 through 15 and amendments 17 through 23 of the Senate amendment as amended.

The motion prevailed and the House concurred in amendments 1 through 15 and amendments 17 through 23 of the Senate amendment as amended.

Drake of Muscatine moved that the bill, as amended by the Senate, further amended by the House and concurred in by the House, be read a last time now and placed upon its repassage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1147)

The ayes were, 81:

Anania	Edelen	Kinley	Nielsen
Andersen	Egenes	Knoke	Norpel
Bennett	Ellsworth	Kruse	Nystrom
Bergman	Ewell	Larson	Patton
Blouin	Fischer, H. O.	Lawson	Pellett
Bray	Fisher, C. R.	Lipsky	Pierson
Camp	Gluba	Logemann	Priebe
Campbell	Grassley	Mayberry	Rex
Christensen	Hamilton	McCormick	Rodgers
Clark	Hansen	McElroy	Roorda
Cochran	Hill	Mendenhall	Sargisson
Curtis	Holden	Middleswart	Schmeiser
Dougherty	Husak	Miller	Schroeder
Doyle	Jesse	Moffitt	Schwieger
Drake	Johnston	Mollett	Scott
Dunton	Kennedy	Monroe	Shaw

Siglin	Taylor	Welden	Wirtz
Skinner	Tieden	Wells	Wyckoff
Sorg	Uban	Willits	Mr. Speaker
Stanley	Varley	Winkelman	(Millen)
Stromer	Waugh		

The nays were, 2:

Kelly	Schwartz
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Absent or not voting, 17:

Alt	Harbor	Menefee	Stokes
Den Herder	Kehe	Pelton	Strand
Franklin	Knoblauch	Radl	Strothman
Freeman	Kreamer	Small	Trowbridge
Goode			

The bill having received a constitutional majority was declared to have repassed the House and the title was agreed to.

CONSIDERATION OF BILLS

WAYS AND MEANS CALENDAR

Senate File 1096, a bill for an act relating to tax assessment procedures, with report of committee recommending passage, was taken up for consideration.

Kreamer of Polk offered the following amendment filed by Kreamer, et al.:

Amend Senate File 1096, as amended and passed by the Senate, as follows:

1. Page 3, by inserting after line 11 the following new sections:

"Sec. Section four hundred twenty-one point seventeen (421.17), Code 1971, is amended by adding the following new subsection:

To issue rules and regulations as are necessary, subject to the provisions of Chapter seventeen A (17A) of the Code, to provide for the uniform application of the exemptions provided in section four hundred twenty-seven point one (427.1) of the Code in all assessor jurisdictions in the state."

"Sec. Section four hundred twenty-seven point one (427.1), Code 1971, as amended by chapter two hundred fifteen (215), section one (1), Acts of the Sixty-fourth General Assembly, First Session, is amended by adding the following new subsection:

Each county and city assessor shall assess and value all tax exempt property within his jurisdiction. The list of tax exempt property shall contain a legal description of the tax exempt property and

the name of the owner of the tax exempt property, the market value of the tax exempt property, and the assessed value of the tax exempt property. The list of tax exempt property shall be filed with the director of revenue and the local board of review on or before April sixteen of each year."

2. Renumber sections and correct internal references as are necessary in accordance with this amendment.

Egenes of Story offered from the floor the following amendment to the amendment and moved its adoption:

Amend the Kreamer, Den Herder and Roorda amendment to Senate File 1096, as amended and passed by the Senate, as follows:

Line 21, strike the period and insert there-after " , not including any city, county, state, or federal property or other property held by taxing jurisdictions such as school districts."

A non-record roll call was requested.

The ayes were 10, nays 61.

The amendment to the amendment lost.

Skinner of Polk offered from the floor the following amendment to the Kreamer, et al., amendment and moved its adoption:

Amend the Kreamer, et al., amendment to Senate File 1096 by striking the word "assess" in line 19 and inserting in lieu thereof the following: "determine the assessment value that would be assigned to the property if it were taxable."

The amendment to the amendment was adopted.

Kreamer of Polk moved the adoption of the Kreamer, et al., amendment as amended.

Roll call was requested by Roorda of Jasper and Kreamer of Polk.

On the question "Shall the amendment as amended be adopted?"

The ayes were, 78:

Alt	Campbell	Edelen	Hansen
Anania	Christensen	Egenes	Hill
Andersen	Clark	Ellsworth	Holden
Bennett	Cochran	Fischer, H. O.	Jesse
Bergman	Curtis	Freeman	Johnston
Blouin	Den Herder	Gluba	Kehe
Bray	Drake	Grassley	Kelly
Camp	Dunton	Hamilton	Kennedy

Kinley	Monroe	Schwartz	Tieden
Knoke	Nielsen	Scott	Trowbridge
Kreamer	Norpel	Shaw	Uban
Kruse	Patton	Siglin	Varley
Larson	Pellett	Skinner	Wells
Logemann	Pierson	Small	Willits
Mayberry	Priebe	Sorg	Winkelman
McElroy	Rex	Stanley	Wirtz
Mendenhall	Roorda	Strand	Wyckoff
Miller	Sargisson	Stromer	Mr. Speaker
Moffitt	Schmeiser	Strothman	(Millen)
Mollett	Schroeder	Taylor	

The nays were, 7:

Dougherty	Husak	Lipsky	Rodgers
Doyle	Knoblauch	McCormick	

Absent or not voting, 15:

Ewell	Harbor	Nystrom	Stokes
Fisher, C. R.	Lawson	Pelton	Waugh
Franklin	Menefee	Radl	Welden
Goode	Middleswart	Schwieger	

The amendment as amended was adopted.

Holden of Scott offered the following amendment filed by Holden, et al.:

Amend Senate File 1096, as amended and passed by the Senate, as follows:

1. By adding the following section after Sec. 2.

Sec. 3. Section four hundred twenty-eight point twenty-eight (428.28) of the Code is amended by adding thereto the following:

"Every individual, copartnership, corporation, association, city or town which operates a public utility on a non-profit basis, as defined in Section four hundred twenty-eight point twenty-four (428.24) of the Code, shall annually, on or before the first day of May of each calendar year, make a report on blanks to be provided by the department of revenue of all of the property owned by such individual, copartnership, corporation, association, or city or town within the incorporated limits of any city or town in the state, and give such other information as the director of revenue shall require. Any public utility which reports according to this paragraph shall not be assessed."

2. By renumbering the subsequent sections and correcting cross references in accordance with this amendment.

Drake of Museatine rose on a point of order that the amendment was not germane.

The Speaker ruled the point not well taken.

Holden of Scott moved the adoption of the Holden, et al., amendment.

Roll call was requested by Small of Johnson and Gluba of Scott.

On the question "Shall the amendment be adopted?"

The ayes were, 46:

Alt	Hill	Monroe	Stanley
Andersen	Holden	Nielsen	Strand
Bennett	Kehe	Norpel	Stromer
Bergman	Kreamer	Pellett	Strothman
Camp	Kruse	Pierson	Taylor
Campbell	Lipsky	Rex	Uban
Christensen	Logemann	Roorda	Varley
Curtis	Mayberry	Schmeiser	Winkelman
Doyle	Mendenhall	Schroeder	Wyckoff
Fisher, C. R.	Miller	Shaw	Mr. Speaker
Freeman	Moffitt	Siglin	(Millen)
Hamilton	Mollett	Sorg	

The nays were, 26:

Blouin	Egenes	Knoblauch	Sargisson
Bray	Gluba	Larson	Schwartz
Clark	Hansen	McCormick	Scott
Den Herder	Husak	Patton	Small
Dougherty	Jesse	Priebe	Wells
Drake	Johnston	Rodgers	Willits
Edelen	Kennedy		

Absent or not voting, 28:

Anania	Goode	McElroy	Skinner
Cochran	Grassley	Menefee	Stokes
Dunton	Harbor	Middleswart	Tieden
Ellsworth	Kelly	Nystrom	Trowbridge
Ewell	Kinley	Pelton	Waugh
Fischer, H. O.	Knoke	Radl	Welden
Franklin	Lawson	Schwieger	Wirtz

The amendment was adopted.

Fisher of Greene offered the following amendment filed by him and Den Herder of Sioux and moved its adoption:

Amend Senate File 1096, Section 14, page 10, line 12, by inserting after the word "property" the following: "under subsections two (2) through nine (9), inclusive, and subsections eleven (11) and twelve (12) of section four hundred twenty-seven point one (427.1) of the Code."

The amendment was adopted.

Den Herder of Sioux moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 1096)

The ayes were, 80:

Alt	Freeman	Miller	Skinner
Andersen	Gluba	Moffitt	Small
Bennett	Grassley	Monroe	Sorg
Bergman	Hamilton	Nielsen	Stanley
Blouin	Hill	Norpel	Strand
Bray	Holden	Nystrom	Stromer
Camp	Jesse	Patton	Strothman
Campbell	Johnston	Pellett	Taylor
Christensen	Kehe	Pelton	Tieden
Clark	Kelly	Pierson	Trowbridge
Cochran	Kennedy	Priebe	Uban
Curtis	Kinley	Rex	Varley
Den Herder	Knoke	Roorda	Waugh
Doyle	Kreamer	Sargisson	Welden
Dunton	Kruse	Schmeiser	Wells
Edelen	Logemann	Schroeder	Willits
Egenes	Mayberry	Schwieger	Winkelman
Ellsworth	McElroy	Scott	Wyckoff
Ewell	Mendenhall	Shaw	Mr. Speaker
Fischer, H. O.	Middleswart	Siglin	(Millen)
Fisher, C. R.			

The nays were, 9:

Anania	Hansen	Knoblauch	Rodgers
Dougherty	Husak	McCormick	Schwartz
Drake			

Absent or not voting, 11:

Franklin	Larson	Menefee	Stokes
Goode	Lawson	Mollett	Wirtz
Harbor	Lipsky	Radl	

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

MOTION TO RECONSIDER

(Senate File 1096)

I move to reconsider the vote by which Senate File 1096 passed the House on March 10, 1972.

EGENES of Story

UNFINISHED BUSINESS CALENDAR

The House resumed consideration of Senate File 1201, a bill for an act to appropriate funds to the state highway commission for designated capital improvement programs.

Welden of Hardin moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 1201)

The ayes were, 53:

Alt	Fisher, C. R.	Moffitt	Scott
Anania	Freeman	Monroe	Shaw
Andersen	Gluba	Norpel	Siglin
Bennett	Hamilton	Nystrom	Strand
Bergman	Hansen	Patton	Taylor
Camp	Hill	Pelton	Tieden
Christensen	Jesse	Rex	Uban
Curtis	Kinley	Rodgers	Waugh
Dougherty	Knoke	Roorda	Welden
Doyle	Kruse	Sargisson	Willits
Drake	Larson	Schmeiser	Winkelman
Dunton	Lipsky	Schroeder	Mr. Speaker
Egenes	McElroy	Schwieger	(Millen)
Ellsworth	Mendenhall		

The nays were, 32:

Blouin	Husak	Middleswart	Skinner
Bray	Johnston	Miller	Small
Campbell	Kelly	Nielsen	Sorg
Clark	Kennedy	Pellett	Stanley
Cochran	Knoblauch	Pierson	Strothman
Edelen	Kreamer	Priebe	Trowbridge
Fischer, H. O.	Logemann	Radl	Wells
Grassley	McCormick	Schwartz	Wyckoff

Absent or not voting, 15:

Den Herder	Harbor	Mayberry	Stromer
Ewell	Holden	Menefee	Varley
Franklin	Kehe	Mollett	Wirtz
Goode	Lawson	Stokes	

The bill having received constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILES 674 AND 1056 WITHDRAWN

Trowbridge of Floyd asked and received unanimous consent to withdraw House Files 674 and 1056 from further consideration by the House.

APPROPRIATIONS CALENDAR

House File 1291, a bill for an act relating to the establishment of an office of citizens' aide, his duties and providing penalties and making an appropriation, was taken up for consideration.

Welden of Hardin offered the following amendment filed by him:

Amend House File 1291 as follows:

1. Page 2, by striking all of lines 19 and 20 and inserting in lieu thereof the following:

"Sec. 2. A citizens aide shall be appointed by the".

2. By renumbering the following sections.

3. Page 2, by adding after line 30 the following new paragraph:

"The citizens aide shall employ and supervise all employees under his direction in such positions and at such salaries as shall be authorized by the legislative council.

4. Page 7, by striking all of line 32 after the second period and all of lines 33 and 34.

5. Page 7, by striking all of line 35.

6. Page 8, by striking all of lines 1 through 8.

Division of the amendment was requested.

Welden of Hardin moved the adoption of amendments 1 and 2, lines 1 through 6 of his amendment.

A non-record roll call was requested.

The ayes were 28, nays 43.

Amendments 1 and 2 of the amendment lost.

Speaker Harbor in the chair at 12:35 p.m.

Amendment 3 of the amendment deferred.

Welden of Hardin moved the adoption of amendment 4, lines 13 and 14 of his amendment.

Roll call was requested by Welden of Hardin and Lipsky of Linn.

On the question "Shall amendment 4 be adopted?"

The ayes were, 48:

Anania	Hansen	Patton	Shaw
Bennett	Holden	Pellett	Siglin
Bergman	Johnston	Pierson	Skinner
Campbell	Kehe	Priebe	Stromer
Curtis	Kennedy	Radl	Strothman
Dougherty	Kreamer	Rex	Taylor
Doyle	Kruse	Roorda	Trowbridge
Edelen	Middleswart	Sargisson	Varley
Fischer, H. O.	Millen	Schmeiser	Waugh
Fisher, C. R.	Miller	Schwartz	Welden
Grassley	Nielsen	Schwieger	Wyckoff
Hamilton	Nystrom	Scott	Mr. Speaker

The nays were, 32:

Alt	Dunton	Lawson	Schroeder
Andersen	Egenes	Lipsky	Small
Blouin	Ellsworth	Logemann	Stanley
Bray	Gluba	McElroy	Tieden
Camp	Hill	Mendenhall	Uban
Christensen	Jesse	Moffitt	Wells
Clark	Kelly	Norpel	Willits
Drake	Larson	Rodgers	Winkelman

Absent or not voting, 20:

Cochran	Goode	Mayberry	Pelton
Den Herder	Husak	McCormick	Sorg
Ewell	Kinley	Menefee	Stokes
Franklin	Knoblauch	Mollett	Strand
Freeman	Knoke	Monroe	Wirtz

Amendment 4 of the amendment was adopted.

Welden of Hardin moved the adoption of amendments 5 and 6, lines 15 and 16 of the amendment.

A non-record roll call was requested.

The ayes were 29, nays 53.

Amendments 5 and 6, lines 15 and 16 of the amendment lost.

Camp of Clinton offered the following amendment filed by Camp, et al.:

Amend House File 1291 as follows:

1. Page 2, line 21, by striking the words "legislative council" and inserting in lieu thereof the word "governor".
2. Page 2, line 24, by striking the words "legislative council" and inserting in lieu thereof the word "governor".
3. Page 3, line 2, by striking the words "legislative council" and inserting in lieu thereof the word "governor".

Camp of Clinton offered from the floor the following amendment to the amendment and moved its adoption:

Amend the Camp, et al., amendment to House File 1291, filed March 7, 1972, by inserting after line 10 the following:

- "4. Page 3, by striking from lines 9 and 10 the words 'legislative council' and inserting in lieu thereof the word 'governor'.

The amendment to the amendment was adopted.

Kreamer of Polk in the chair at 1:20 p.m.

Camp of Clinton moved the adoption of his amendment as amended.

Roll call was requested by Winkelman of Calhoun and Priebe of Kossuth.

On the question "Shall the amendment as amended be adopted?"

The ayes were, 26:

Alt	Dunton	Lawson	Stanley
Andersen	Egenes	Lipsky	Varley
Bergman	Hamilton	Pelton	Waugh
Camp	Hansen	Pierson	Willits
Campbell	Hill	Rex	Mr. Speaker
Clark	Knoke	Schroeder	(Kreamer)
Drake	Larson	Sorg	

The nays were, 58:

Anania	Grassley	Moffitt	Scott
Bennett	Holden	Nielsen	Siglin
Blouin	Husak	Norpel	Skinner
Bray	Jesse	Nystrom	Small
Christensen	Johnston	Patton	Stromer
Cochran	Kehe	Pellett	Strothman
Curtis	Kelly	Priebe	Taylor
Dougherty	Kennedy	Radl	Tieden
Doyle	Knoblauch	Rodgers	Trowbridge
Edelen	Kruse	Roorda	Uban
Ellsworth	Logemann	Sargisson	Welden
Fischer, H. O.	McCormick	Schmeiser	Wells
Fisher, C. R.	McElroy	Schwartz	Winkelman
Freeman	Mendenhall	Schwieger	Wyckoff
Gluba	Miller		

Absent or not voting, 16:

Den Herder	Harbor	Middleswart	Shaw
Ewell	Kinley	Millen	Stokes
Franklin	Mayberry	Mollett	Strand
Goode	Menefee	Monroe	Wirtz

The amendment as amended lost.

(House File 1291 and amendment 3 of the Welden amendment pending at adjournment.)

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File 1042, a bill for an act relating to the time served on parole.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File 1117, a bill for an act relating to annual report of the commissioner of insurance.

Also: That the Senate has concurred in the House amendment to the Senate amendment and passed the following bill:

House File 1147, a bill for an act relating to the election laws and providing penalties for violations thereof.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File 1176, a bill for an act relating to the department of soil conservation.

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

House File 1247, a bill for an act making appropriations to the educational radio and television facility board.

CARROLL A. LANE, Secretary

SENATE AMENDMENT TO HOUSE FILE 1247

- 1 Amend House File 1247, as amended and passed by the House as
- 2 follows:
- 3 1. Page 2, by adding the following new subsection after line 19.
- 4 "4. For the fiscal year beginning July 1, 1972 and ending
- 5 June 30, 1973 the sum of ten thousand (10,000) dollars, or so
- 6 much thereof as is necessary, to be used as program acquisition
- 7 costs to aid in defraying costs of making available programs
- 8 having educational value to young children to commercial
- 9 television stations which will carry such programs and which
- 10 provide television coverage within areas of the state which
- 11 do not receive coverage from the Iowa educational broadcasting
- 12 network."
- 13 2. Page 2, line 32, by striking the words and figures "four
- 14 hundred thousand (400,000)" and inserting in lieu thereof the
- 15 words and figures "three hundred eighty-seven thousand five
- 16 hundred (387,500)".
- 17 3. Page 2, line 33, by inserting after the word "area" the
- 18 following: "except that a special appropriation of twenty-five
- 19 thousand (25,000) dollars is made to the Mason City area for
- 20 a translator facility".

HOUSE CONCURRENT RESOLUTION 128

By Committee on Appropriations

Whereas, doubt has arisen under the provisions of section 25.7, Code 1971, that submission of claims to the joint claims committee of the Senate and House and rejection by the committee constitutes final action thereon by the General Assembly as provided in said section; and

Whereas, certain claims rejected by previous joint claims committees are sometimes reprocessed by the state appeal board for recurring submission; and

Whereas, it is deemed desirable that claims submitted to the joint claims committees of the Sixty-fourth General Assembly and rejected by the committees should be submitted to the Senate and House for final action and determination as the act of the General Assembly; *Now, Therefore,*

Be It Resolved by the House of Representatives, the Senate Concurring, That the claims hereinafter set forth, duly processed by the state appeal board and rejected by the joint claims committee, be considered by the Senate and House, and the action of the joint committee rejecting these claims be approved.

Claimant	Claim No.	Nature of Claim	Amount
1. Lineville Elevator Company Lineville, Iowa	2447-64-25	License fee refund	\$ 37.50
2. Donald Howard Trost Lenox, Iowa	2162-64-25	License fee refund	6.00
3. Rex A. Ward Ossian, Iowa	2668-64-25	Boat license refund	9.00
4. R. E. Merrill Ames, Iowa	2166-64-25	Unauthorized retirement	32,888.60
5. Midtown Motor Inn Des Moines, Iowa	1946-64-25	Outdated invoice	87.06
6. Dr. MacDonald's Vitamized Feed Co. Fort Dodge, Iowa	1974-64-25	Registration fee refund	121.06
7. Clay & Fay De Lashmutt & Mills Company Pacific Junction, Ia.	H-117-64-G	Outdated warrant	1,275.00
8. Edna E. Severn Council Bluffs, Iowa	H-138-64-G	Outdated warrant	660.00
9. Iowa Air Sales, Inc. Des Moines, Iowa	1807-64-25	Outdated invoice	27.00
10. Willard C. Brinegar, M.D. Cherokee, Iowa	873-64-25	Services to state	19,500.00
11. B & G General Contractors Centerville, Iowa	2834-64-25	Outdated claim	217.81

Laid over under Rule 25.

MOTION TO WITHDRAW FROM SIFTING COMMITTEE
(House File 366)

Pursuant to Rule 55 of the Temporary Rules of the House, the undersigned do hereby move to withdraw House File 366, a bill for an act relating to collective bargaining in public employment, from the sifting committee.

PELTON of Clinton
ANDERSEN of Woodbury
HANSEN of Black Hawk
TAYLOR of Dubuque
TIEDEN of Clayton
ELLSWORTH of Dubuque
SCHWIEGER of Black Hawk
MOLLETT of Pottawattamie
REX of Hamilton
FRANKLIN of Polk
KELLY of Woodbury
NYSTROM of Boone
HILL of Polk
LIPSKY of Linn
WILLITS of Polk
PRIEBE of Kossuth
JESSE of Polk
KENNEDY of Chickasaw

SKINNER of Polk
PATTON of Buchanan
DOYLE of Woodbury
SCHWARTZ of Wapello
SARGISSON of Woodbury
HUSAK of Tama
BENNETT of Polk
MONROE of Des Moines
MAYBERRY of Webster
WELLS of Linn
SMALL of Johnson
GLUBA of Scott
UBAN of Black Hawk
DUNTON of Keokuk
JOHNSTON of Johnson
SCOTT of Cerro Gordo
EWELL of Black Hawk
KINLEY of Polk
ANANIA of Polk
BLOUIN of Dubuque
McCORMICK of Delaware
RODGERS of Dallas
COCHRAN of Webster
BRAY of Scott
MIDDLESWART of Warren
NORPEL of Jackson
LARSON of Story
KNOBLAUCH of Carroll
DOUGHERTY of Monroe
SCHMEISER of Des Moines

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 9, 1972, he approved and transmitted to the Secretary of State the following bills:

Senate File 590, an act relating to a renal disease program and to provide an appropriation therefor.

Senate File 1008, an act relating to bank holding companies, bank offices, certain real estate loans by state banks, and fees paid by state banks for management, financial advice, consultation or services, and prescribing penalties for violations.

Senate File 1019, an act making the violation of the Iowa Commercial Feed Law of 1964 a misdemeanor and providing a penalty therefor.

Senate File 1030, an act relating to the recording of blind, deaf and handicapped persons by the assessor.

Senate File 1069, an act relating to terms of office of county superintendents of schools.

Senate File 1087, an act relating to the designation of the General Assembly and acts thereof.

Senate File 1125, an act to change the fiscal year of cities and towns, counties, and other political subdivisions.

AMENDMENTS FILED

1 Amend House File 1066 by striking lines 4-11
 2 and inserting in lieu thereof the following:
 3 Sec. 1. The commissioner of public safety
 4 shall, with the assistance of the attorney general,
 5 prepare and distribute to all persons applying for
 6 a license or a temporary permit to operate a motor
 7 vehicle a pamphlet explaining the laws regarding the
 8 use of alcoholic liquor and beer as they affect in-
 9 dividual persons, including but not limited to the
 10 use of alcoholic liquor and beer while operating a
 11 motor vehicle.

BRAY of Scott

1 Amend House File 1256 as follows:
 2 1. Page 3, by inserting the following new sections
 3 after line 22:
 4 Sec. 7. Section three hundred seven point one
 5 (307.1), Code 1971, is amended to read as follows:
 6 307.1 MEMBERS—QUALIFICATIONS—TERM—LOCATION.
 7 The state highway commission shall be composed of
 8 [five appointive] *seven* members[, not more than three
 9 of whom shall be from the same political party,] and
 10 each commissioner shall serve for four years [from
 11 July 1 of the year of his appointment] *beginning on*
 12 *the second secular day in January following his*
 13 *election except that one member shall be appointed*
 14 *by and serve at the pleasure of the Governor. The*
 15 *office of said commission shall be located in the*
 16 *city of Ames, Iowa.*
 17 *The state is divided into six state highway*
 18 *commission districts. The boundaries of the districts*
 19 *shall be conterminous with the six congressional*
 20 *districts as they exist for elections to be held in*
 21 *the year 1972. One member shall be elected by the*
 22 *voters of each district of the state on a nonpartisan*
 23 *basis in the manner provided for state officials.*
 24 *An elected member of the commission shall hold office*
 25 *for a term of four years and until his successor is*
 26 *elected and qualifies, except that a member chosen*
 27 *from an even-numbered district at the general election*
 28 *in 1972 shall hold office for a term of two years*
 29 *and until his successor is elected and qualifies.*
 30 *At the first meeting of the commission in each*
 31 *even-numbered year the board shall elect a chairman*
 32 *and vice chairman both of whom shall serve for two*
 33 *years.*
 34 Sec. 8. Section three hundred seven point two
 35 (307.2), Code 1971, is amended by striking the section
 36 and inserting in lieu thereof the following:
 37 "The members of the state highway commission shall
 38 be qualified electors of the state and shall hold
 39 no other public office. No person, the major portion
 40 of whose time is engaged in highway design,

41 construction, or maintenance, or who derives a major
 42 portion of his income from any business or activity
 43 connected with highway design, construction, or
 44 maintenance, shall be eligible for membership on the
 45 commission."

46 Sec. 9. Section three hundred seven point three
 47 (307.3), Code 1971, is amended by striking the section
 48 and inserting in lieu thereof the following:

49 "The members of the state highway commission shall
 50 take the regular oath of office as prescribed by law
 51 for state officials.

52 If any vacancy occurs on the state highway
 53 commission it shall be filled by appointment by the
 54 remaining members of the commission until it shall
 55 be filled at the next general election. Any person
 56 elected to fill a vacancy shall serve only the
 57 remainder of an unexpired term and his term shall
 58 commence when the votes for the office are officially
 59 canvassed."

60 Sec. 10. Section three hundred seven point five
 61 (307.5), subsection three (3), Code 1971, is amended
 62 by adding the following new paragraph:

63 "One of the assistants appointed pursuant to this
 64 subsection shall be known as the chief engineer and
 65 shall be the person primarily responsible for carrying
 66 out the policies and directives of the commission.
 67 All the other assistants and employees of the
 68 commission shall be under the direction and responsible
 69 to the chief engineer."

70 Sec. 11. The terms of office of members of the
 71 state highway commission appointed prior to the
 72 election of the highway commissioner provided for
 73 in this Act, shall terminate at such time as the
 74 elected members of the state highway commission qualify
 75 for office and commence their terms of office.

76 Sec. 12. This Act, being deemed of immediate
 77 importance, shall take effect and be in force from
 78 and after its publication in,
 79 a newspaper published in, Iowa,
 80 and in, a newspaper published
 81 in, Iowa.

82 2. Page 1, line 1, by amending the title by in-
 83 scribing before the period the words "and relating
 84 to the state highway commission".

TAYLOR of Dubuque

1 Amend House File 1280, page 2, by striking all of
 2 lines 4 through 10 and inserting in lieu thereof the
 3 following:

4 "The state board of regents shall allocate from
 5 funds appropriated by subsection four (4), section
 6 one (1) for the fiscal year commencing July 1, 1972
 7 and ending June 30, 1973, to the State University of
 8 Iowa and the Iowa State University of Science and

9 Technology, the sum of three hundred sixty-eight
10 thousand (\$368,000.00) dollars.”

SMALL of Johnson

1 Amend House File 1280 by adding thereto the
2 following new section:

3 “There is hereby appropriated from the general
4 fund of the state for the year beginning July 1, 1972,
5 and ending June 30, 1973, an additional and supplemen-
6 tal appropriation of four million seven hundred
7 eighty-four thousand nine hundred (4,784,900.00)
8 dollars to the Iowa State University of science and
9 technology for salaries, support, maintenance, equip-
10 ment and miscellaneous purposes on the general univer-
11 sity.”

LARSON of Story

1 Amend House File 1280 by adding thereto the
2 following new section:

3 “There is hereby appropriated from the general
4 fund of the state for the year beginning July 1, 1972,
5 and ending June 30, 1973, an additional and supplemental
6 appropriation of four hundred twenty-one thousand
7 (\$421,000.00) dollars to the agricultural experiment
8 station for salaries, support, maintenance, equipment
9 and miscellaneous purposes.”

REX of Hamilton
NYSTROM of Boone

1 Amend House File 1290 as follows:

2 1. Page 6, by inserting the following new section
3 after line 23:

4 “Sec. Section ninety-four point eleven (94.11),
5 Code 1971, is amended to read as follows:

6 94.11 INVESTIGATION BY LABOR COMMISSIONER. The
7 labor commissioner[,] and his deputy or inspectors, [and
8 the chief clerk of the bureau] shall *administer the*
9 *provisions of this chapter and shall* have authority to
10 examine at any time the records, books and any papers
11 relating in any way to the conduct of any employment
12 agency or bureau within the state, and must investi-
13 gate any complaint made against any such employment
14 agency or bureau, and if any violations of law are
15 found he shall at once file or cause to be filed, an
16 information against any person, firm, or corporation
17 guilty of such violation of law.”

18 2. Page 7, line 21, by striking the word “and”
19 and inserting in lieu thereof a comma.

20 3. Page 7, line 22, by inserting before the word
21 “Code” the following: “ninety-four point two (94.2),
22 ninety-four point three (94.3), and ninety-four point
23 four (94.4),”

24 4. Page 1, line 1, by amending the title by
25 inserting after the word “services” the following:

26 “, duties of the labor commissioner,”
 27 5. By renumbering the bill sections to conform
 28 to this amendment.

LAWSON of Cerro Gordo

1 Amend House File 1291, page 8, line 4, by insert-
 2 ing after the word “Act” the following:
 3 “unless the act or omission is actuated by malice
 4 or is grossly negligent.”

JESSE of Polk

1 Amend House File 1294 by adding the following
 2 new section:
 3 Sec. State departments and state agencies
 4 other than the Iowa Development Commission shall
 5 not, from funds appropriated by the general assembly,
 6 transfer funds either directly or indirectly to the
 7 Iowa world exposition authority without such funds
 8 being transferred by the general assembly through
 9 reapportionment.

BRAY of Scott

1 Amend House File 1295 as follows:
 2 1. Page 1, by striking everything after the en-
 3 acting clause and inserting in lieu thereof the fol-
 4 lowing:
 5 “Section 1. There is appropriated from the gen-
 6 eral fund of the state to the department of general
 7 services for the fiscal year beginning July 1, 1972
 8 and ending June 30, 1973, the sum of one hundred thou-
 9 sand (100,000) dollars, or so much thereof as is nec-
 10 essary, for the development of plans for providing
 11 additional state office facilities including the
 12 method of providing financing for the payment of such
 13 office facilities. The plans shall be consistent
 14 with the master plan and guide for future expansion
 15 and development of the state capitol grounds accepted
 16 pursuant to chapter four hundred eighty-one (481),
 17 Acts of the Sixty-first General Assembly. The director
 18 of the department of general services may employ ar-
 19 chitects and other technical assistants to carry out
 20 the provisions of this Act and may apply and accept,
 21 or arrange for the application and the acceptance
 22 of, federal funds which may be available for carrying
 23 out the purposes of this Act.
 24 Sec. 2. The director of the department of gen-
 25 eral services shall consult with the executive coun-
 26 cil, office for planning and programming, the Iowa
 27 crime commission, and the legislative council in or-
 28 der to determine the space needs of governmental
 29 agencies and determine what governmental agencies
 30 and personnel would occupy additional state office
 31 facilities which might be made available. The di-
 32 rector of the department of general services shall

33 make monthly progress reports to the executive coun-
 34 cil and the legislative council regarding the de-
 35 velopment of plans provided for in this Act. The
 36 director of the department of general services shall
 37 make available to the office of the governor infor-
 38 mation relating to the development of the plan for
 39 additional state office facilities on a timely basis
 40 in order that consideration might be given to such
 41 plans in preparing the executive budget to be sub-
 42 mitted to the general assembly.

43 Sec. 3. The director of the department of gen-
 44 eral services shall submit a complete report of the
 45 development of plans for providing additional state
 46 office facilities to the general assembly and the
 47 governor not later than February 15, 1973. The re-
 48 port shall contain recommendations relating to pro-
 49 viding additional state office facilities, suggested
 50 methods for financing additional state office facil-
 51 ities, occupancy of such facilities, alternative
 52 recommendations, and such other information which
 53 will aid the governor and the members of the gen-
 54 eral assembly to determine the most proper method
 55 for providing additional state office facilities."

56 2. Page 1, amend the title lines 1 and 2 by
 57 striking the words "capitol planning commission" and
 58 inserting in lieu thereof the words "department of
 59 general services".

CAMP of Clinton
 VARLEY of Adair
 ALT of Polk
 GRASSLEY of Butler

1 Amend the Camp, Varley, et al., amendment to House
 2 File 1295, filed March 10, 1972, by inserting after
 3 line 55 the following new section.

4 Sec. "Notwithstanding any of the provisions of sections
 5 one hundred ninety-eight point seven (198.7) and two
 6 hundred point nine (200.9) of the Code, there is
 7 transferred to the department of general services
 8 from any money deposited in the commercial feed fund
 9 created by section one hundred ninety-eight point
 10 seven (198.7), subsection three (3), of the Code, the
 11 sum of twenty-five thousand (25,000) dollars, and
 12 from the fertilizer fund provided under section two
 13 hundred point nine (200.9) of the Code, the sum of
 14 twenty-five thousand (25,000) dollars, which sums
 15 shall be appropriated for the purposes specified in
 16 this section.

17 Any money transferred and appropriated to the
 18 department of general services under this section
 19 shall be used for development of plans, the prepara-
 20 tion of blueprints, specifications, and other con-
 21 tract documents necessary to properly plan the
 22 construction of a building to be located on the state

23 capitol grounds for the administrative offices and
24 laboratory of the department of agriculture and such
25 other state agencies as the department of general
26 services in its plans may determine."

PIERSON of Mahaska

1 Amend Senate File 1158, as passed by the Senate,
2 on page 5, by inserting after line 8 the following
3 new paragraph:
4 "*The payment, collection, and apportionment of the*
5 *tax equivalent shall be subject to the provisions of*
6 *chapters 445, 446, and 447 of the Code.*"

SCHROEDER of Pottawattamie
CAMP of Clinton

1 Amend Senate File 1169, as passed by the Senate,
2 as follows:
3 1. Page 2, by striking all of lines 22 and 23
4 and inserting in lieu thereof the following:
5 "under the Internal Revenue Code of [1945] 1954
6 as amended to and including January 1, 1972, shall
7 not be added. *On the franchise tax return, the*
8 *deduction of Iowa franchise tax paid in or*
9 *accrued for the tax year, shall not be allowed.*"
10 2. By adding thereto the following new section:
11 "Sec. 4. The provisions of section three (3) of
12 this Act shall be effective for tax periods
13 beginning on or after January 1, 1972."

UBAN of Black Hawk

On motion by Varley of Adair, the House adjourned until
10:00 a.m., Monday, March 13, 1972.

JOURNAL OF THE HOUSE

Sixty-fourth Calendar Day—Forty-sixth Session Day

HALL OF THE HOUSE OF REPRESENTATIVES
DES MOINES, IOWA, MONDAY, MARCH 13, 1972

The House met pursuant to adjournment, Speaker Harbor in the chair.

Prayer was offered by the Reverend J. Riley West, pastor of the First Presbyterian Church, Oskaloosa, Iowa.

The Journal of Friday, March 10, 1972, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. G. L. Schmit, Cedar Rapids, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Freeman of Buena Vista for the morning on request of the Speaker.

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Forty-nine senior government class students from Holstein High School, Holstein, Iowa, accompanied by Russ Kraai and Mr. Lester. By Curtis of Cherokee.

Forty-eight students from West Marshall Community School, accompanied by Helen German and Mrs. Speers. By Fischer of Grundy and Miller of Marshall.

Thirty-five senior students from Dows Community School, Dows, Iowa, accompanied by Mr. Hammel. By Stromer of Hancock.

Twenty-six senior students from Stratford Community School, Stratford, Iowa, accompanied by Mr. Klink. By Rex of Hamilton.

Forty senior students from Clinton High School, Clinton, Iowa, accompanied by Mr. Mennenga. By Pelton of Clinton and Camp of Clinton.

Twenty-six students from Christ The King School, Des Moines, Iowa, accompanied by Jerry John. By Kinley of Polk.

Forty-five students from Twin Rivers High School, Twin Rivers, Iowa, accompanied by Herb Raney and Basil Brock. By Priebe of Kossuth.

PETITION FILED

The following petition was received and placed on file:

By Curtis of Cherokee from nineteen residents of Ida County favoring passage of House File 95, relating to IPERS benefits.

INTRODUCTION OF BILLS

House File 1298, by committee on appropriations, a bill for an act to make appropriations to certain persons in the settlement of claims made against the state of Iowa.

Read first time and placed on the appropriations calendar.

House File 1299, by committee on appropriations, a bill for an act making an appropriation for the purpose of implementing and administering a state building code.

Read first time and placed on the appropriations calendar.

SENATE MESSAGE CONSIDERED

Senate File 1171, a bill for an act related to licensing of vehicles from which food and dairy products are sold.

Read first time and referred to sifting committee.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has adopted the conference committee report and the amendments contained therein and passed Senate File 431, a bill for an act relating to hunting restrictions.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File 517, a bill for an act to revise, update, and correct certain sections of the Code.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File 1038, a bill for an act relating to eminent domain.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File 1111, a bill for an act relating to the compensation of members of the general assembly.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File 1191, a bill for an act relating to business corporations.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File 1194, a bill for an act relating to the Iowa probate code.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File 1195, a bill for an act relating to the drawing of grand jurors.

CARROLL A. LANE, Secretary

HOUSE CONCURRENT RESOLUTION 129

By Nystrom, Willits, Blouin, Mendenhall, Schwieger, Ellsworth, Larson, Andersen, Edelen, Schmeiser, Christensen, Rex, Taylor, Bergman, Egenes, Husak, McCormick, Gluba, Hansen, Anania, Norpel, Wyckoff, Patton, Priebe, Kelly, Monroe, Tieden, Freeman, Strand, Waugh, Campbell, Doyle, Holden and Mayberry

Whereas, Senate Files 1159, 1153 and 1094 have been filed with the Second Session of the Sixty-fourth General Assembly with the intent that the passage of these bills shall result in allowing the president of the Organization of Iowa Highway Commission Employees time and office facilities; and

Whereas, the Highway Commission is a vast organization with some 4,200 employees dispersed throughout 99 counties; and

Whereas, it is essential to establish more communication and fill the gap between management and the employees; and

Whereas, the present president of the Iowa Highway Commission Employees has proved of utmost service to the employees, administration, legislators and the State of Iowa; and

Whereas, the employees as well as the Highway Commission administration have shown confidence in him; and he has used his own vacation time without any financial consideration to promote better working conditions for the people he represents; and

Whereas, the Sixty-fourth General Assembly is of unanimous opinion that legislation is not necessary to allow him time and office facilities; and

Whereas, the General Assembly feels this should be accomplished by administrative action; *Now Therefore*,

Be It Resolved by the House of Representatives, the Senate Concurring, That the General Assembly strongly urges, in the interest of employee morale, better efficiency, and more output that the president of the Organization of Iowa Highway Commission Employees be allowed reasonable working time to carry out his duties as president and be given office facilities pursuant to administrative action by the Highway Commissioners; and

that such president not be penalized financially or otherwise in the course of representation of the employees.

Laid over under Rule 25.

COMMUNICATION FROM THE SPEAKER

THE UNIVERSITY OF IOWA
IOWA CITY, IOWA

Office of the President

March 7, 1972

The Honorable Roger W. Jepsen
Lieutenant Governor
State of Iowa
Des Moines, Iowa 50319

The Honorable William H. Harbor
Speaker of the House
State of Iowa
Des Moines, Iowa 50319

Dear Lieutenant Governor Jepsen and Speaker Harbor:

On behalf of the entire University of Iowa, I wish to express to you and through you to the General Assembly our appreciation for the joint resolution recognizing the 125th anniversary of the founding of The University of Iowa.

We are deeply indebted to the General Assembly of Iowa for making this institution possible and we look forward to working with you in the years ahead to advance the University and through it the State of Iowa.

With best regards,

Cordially yours,
WILLARD L. BOYD

CONSIDERATION OF BILLS

SIFTING COMMITTEE NONCONTROVERSIAL CALENDAR

Senate File 274, a bill for an act relating to age discrimination in employment, with report of committee recommending passage, was taken up for consideration.

Dougherty of Monroe moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 274)

The ayes were, 79:

Alt	Campbell	Dougherty	Fisher, C. R.
Andersen	Christensen	Doyle	Gluba
Bergman	Clark	Dunton	Grassley
Blouin	Cochran	Edelen	Hamilton
Bray	Curtis	Egenes	Hansen
Camp	Den Herder	Ellsworth	Hill

Holden	McElroy	Priebe	Strand
Husak	Mendenhall	Rex	Stromer
Jesse	Menefee	Rodgers	Strothman
Kehe	Middleswart	Roorda	Taylor
Kennedy	Millen	Sargisson	Trowbridge
Kinley	Miller	Schroeder	Waugh
Knoke	Moffitt	Schwieger	Welden
Kruse	Mollett	Scott	Wells
Larson	Monroe	Siglin	Willits
Lawson	Nielsen	Skinner	Winkelman
Lipsky	Norpel	Small	Wirtz
Logemann	Nystrom	Sorg	Wyckoff
Mayberry	Patton	Stanley	Mr. Speaker
McCormick	Pierson	Stokes	

The nays were, none.

Absent or not voting, 21:

Anania	Freeman	Kreamer	Schwartz
Bennett	Goode	Pellett	Shaw
Drake	Johnston	Pelton	Tiedon
Ewell	Kelly	Radl	Uban
Fischer, H. O.	Knoblauch	Schmeiser	Varley
Franklin			

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

HOUSE FILE 64 WITHDRAWN

Dougherty of Monroe asked and received unanimous consent to withdraw House File 64 from further consideration by the House.

House File 1275 a bill for an act relating to dissolution of marriage, with report of committee recommending passage, was taken up for consideration.

Knoke of Pottawattamie moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1275)

The ayes were, 85:

Alt	Dougherty	Husak	Mayberry
Anania	Doyle	Jesse	McCormick
Andersen	Dunton	Knoblauch	McElroy
Bergman	Edelen	Kehe	Mendenhall
Blouin	Egenes	Kelly	Menefee
Bray	Ellsworth	Kinley	Middleswart
Camp	Fisher, C. R.	Knoke	Millen
Campbell	Gluba	Kreamer	Miller
Christensen	Grassley	Kruse	Moffitt
Clark	Hamilton	Larson	Mollett
Cochran	Hansen	Lawson	Nielsen
Curtis	Hill	Lipsky	Norpel
Den Herder	Holden	Logemann	Nystrom

Patton	Schwieger	Stokes	Varley
Pelton	Scott	Strand	Waugh
Pierson	Shaw	Stromer	Welden
Priebe	Siglin	Strothman	Wells
Rex	Skinner	Taylor	Willits
Rodgers	Small	Tieden	Winkelman
Roorda	Sorg	Trowbridge	Wyckoff
Sargisson	Stanley	Uban	Mr. Speaker
Schroeder			

The nays were, 1:

Monroe

Absent or not voting, 14:

Bennett	Franklin	Kennedy	Schmeiser
Drake	Freeman	Pellett	Schwartz
Ewell	Goode	Radl	Wirtz
Fischer, H. O.	Johnston		

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

House File 1287, a bill for an act relating to state reciprocity in the enforcement of support decrees; providing for the enforcement in Iowa of support decrees granted in other states and the enforcement in other states of those granted in Iowa; providing for the registration in Iowa of support orders granted in other states; and providing for the administrative procedures necessary thereto, was taken up for consideration.

Knoke of Pottawattamie offered the following amendment filed by him and moved its adoption:

Amend House File 1287 as follows:

1. Page 16, by adding after line 15 the following new section:

"Sec. 33. **INTRASTATE APPLICATION.** This Act applies if both the obligee and the obligor are in this State but in different counties. If the court of the county in which the petition is filed finds that the petition sets forth facts from which it may be determined that the obligor owes a duty of support and finds that a court of another county in this State may obtain jurisdiction over the obligor or his property, the clerk of the court shall send the petition and a certification of the findings to the court of the county in which the obligor or his property is found. The clerk of the court of the county receiving these documents shall notify the prosecuting attorney of their receipt. The prosecuting attorney and the court in the county to which the copies are forwarded then shall have duties corresponding to those imposed upon them when acting for this State as a responding state."

2. By renumbering the remaining sections.

The amendment was adopted.

Knoke of Pottawattamie moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1287)

The ayes were, 85:

Alt	Hamilton	Middleswart	Schwartz
Anania	Hansen	Millen	Schwieger
Andersen	Holden	Miller	Scott
Bergman	Husak	Moffitt	Shaw
Blouin	Jesse	Mollett	Siglin
Bray	Kehe	Monroe	Small
Camp	Kelly	Nielsen	Sorg
Campbell	Kennedy	Norpel	Stanley
Clark	Kinley	Nystrom	Stokes
Cochran	Knoblauch	Patton	Strand
Curtis	Knoke	Pellett	Stromer
Den Herder	Kreamer	Pelton	Strothman
Dougherty	Kruse	Pierson	Taylor
Doyle	Larson	Priebe	Varley
Dunton	Lipsky	Radl	Waugh
Edelen	Logemann	Rex	Wells
Egenes	Mayberry	Rodgers	Willits
Ellsworth	McCormick	Roorda	Winkelman
Ewell	McElroy	Sargisson	Wirtz
Fischer, H. O.	Mendenhall	Schmeiser	Wyckoff
Fisher, C. R.	Menefee	Schroeder	Mr. Speaker
Grassley			

The nays were, 5:

Bennett	Skinner	Tieden	Uban
Christensen			

Absent or not voting, 10:

Drake	Gluba	Johnston	Trowbridge
Franklin	Goode	Lawson	Weiden
Freeman	Hill		

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

House File 1271, a bill for an act relating to the time of destruction of certain court records, was taken up for consideration.

Jesse of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1271)

The ayes were, 91:

Alt	Blouin	Christensen	Den Herder
Anania	Bray	Clark	Dougherty
Andersen	Camp	Cochran	Doyle
Bennett	Campbell	Curtis	Dunton

Edelen	Kreamer	Patton	Stanley
Egenes	Kruse	Pellett	Stokes
Ellsworth	Larson	Pelton	Strand
Ewell	Lipsky	Pierson	Stromer
Fischer, H. O.	Logemann	Priebe	Strothman
Fisher, C. R.	Mayberry	Radl	Taylor
Grassley	McCormick	Rex	Tieden
Hamilton	McElroy	Rodgers	Trowbridge
Hansen	Mendenhall	Roorda	Uban
Hill	Menefee	Sargisson	Varley
Holden	Middleswart	Schmeiser	Waugh
Husak	Millen	Schroeder	Welden
Jesse	Miller	Schwartz	Wells
Kehe	Moffitt	Schwieger	Willits
Kelly	Mollett	Scott	Winkelman
Kennedy	Monroe	Shaw	Wirtz
Kinley	Nielsen	Siglin	Wyckoff
Knoblauch	Norpel	Skinner	Mr. Speaker
Knoke	Nystrom	Sorg	

The nays were, none.

Absent or not voting, 9:

Bergman	Freeman	Goode	Lawson
Drake	Gluba	Johnston	Small
Franklin			

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

House File 1101, a bill for an act to legalize and validate proceedings for the establishment, organization, formation, and changes in the boundaries of merged area school systems, with report of committee recommending passage, was taken up for consideration.

Grassley of Butler moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1101)

The ayes were, 83:

Anania	Edelen	Kruse	Nystrom
Andersen	Egenes	Larson	Patton
Bennett	Ellsworth	Logemann	Pellett
Bergman	Ewell	Mayberry	Pelton
Blouin	Fischer, H. O.	McCormick	Pierson
Bray	Fisher, C. R.	McElroy	Priebe
Camp	Grassley	Mendenhall	Radl
Campbell	Hamilton	Menefee	Rex
Christensen	Hansen	Middleswart	Rodgers
Clark	Holden	Millen	Roorda
Cochran	Husak	Miller	Sargisson
Curtis	Jesse	Moffitt	Schroeder
Den Herder	Kinley	Mollett	Schwieger
Dougherty	Knoblauch	Monroe	Scott
Doyle	Knoke	Nielsen	Shaw
Dunton	Kreamer	Norpel	Siglin

Sorg	Strothman	Varley	Winkelman
Stanley	Taylor	Waugh	Wirtz
Stokes	Tieden	Welden	Wyckoff
Strand	Trowbridge	Wells	Mr. Speaker
Stromer	Uban	Willits	

The nays were, 2:

Hill	Kelly
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Absent or not voting, 15:

Alt	Gluba	Kennedy	Schwartz
Drake	Goode	Lawson	Skinner
Franklin	Johnston	Lipsky	Small
Freeman	Kehe	Schmeiser	

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

Speaker pro tempore Millen in the chair at 10:50 a.m.

House File 1140, a bill for an act to establish a commission on the status of women and to define its powers and duties, with report of committee recommending passage, was taken up for consideration.

Shaw of Scott moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

Rule 70 was invoked.

On the question "Shall the bill pass?" (H.F. 1140)

The ayes were, 59:

Alt	McElroy	McCormick	Siglin
Andersen	Fisher, C. R.	Menefee	Skinner
Bergman	Gluba	Miller	Small
Blouin	Grassley	Moffitt	Stanley
Camp	Hamilton	Monroe	Strand
Campbell	Hansen	Nielsen	Stromer
Clark	Hill	Nystrom	Taylor
Cochran	Holden	Patton	Trowbridge
Curtis	Kelly	Pelton	Varley
Dougherty	Kennedy	Sargisson	Waugh
Doyle	Knoke	Schmeiser	Wells
Dunton	Kreamer	Schroeder	Willits
Edelen	Larson	Schwartz	Winkelman
Egenes	Lipsky	Schwieger	Mr. Speaker
Ellsworth	Mayberry	Shaw	(Millen)

The nays were, 31:

Bennett	Knoblauch	Pierson	Stokes
Christensen	Kruse	Priebe	Strothman
Den Herder	Logemann	Radl	Tieden
Ewell	Mendenhall	Rex	Uban
Fischer, H. O.	Middleswart	Rodgers	Welden
Husak	Mollett	Roorda	Wirtz
Kehe	Norpel	Scott	Wyckoff
Kinley	Pellet	Sorg	

Absent or not voting, 10:

Anania	Franklin	Harbor	Johnston
Bray	Freeman	Jesse	Lawson
Drake	Goode		

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

House File 1249, a bill for an act relating to eligibility for old-age assistance, was taken up for consideration.

Holden of Scott moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time .

On the question "Shall the bill pass?" (H.F. 1249)

The ayes were, 89:

Alt	Gluba	Millen	Shaw
Anania	Hamilton	Moffitt	Siglin
Andersen	Hansen	Mollett	Skinner
Bennett	Hill	Monroe	Small
Bergman	Harbor	Nielsen	Sorg
Blouin	Holden	Norpel	Stanley
Bray	Husak	Nystrom	Stokes
Camp	Kelly	Patton	Strand
Campbell	Kennedy	Pellett	Stromer
Christensen	Kinley	Pelton	Strothman
Clark	Knoblauch	Pierson	Taylor
Cochran	Knoke	Priebe	Tieden
Curtis	Kreamer	Radl	Trowbridge
Den Herder	Kruse	Rex	Varley
Dougherty	Larson	Rodgers	Waugh
Doyle	Lipsky	Roorda	Welden
Drake	Logemann	Sargisson	Wells
Dunton	Mayberry	Schmeiser	Willits
Edelen	McCormick	Schroeder	Winkelman
Egenes	McElroy	Schwartz	Wyckoff
Ellsworth	Mendenhall	Schwieger	Mr. Speaker
Fischer, H. O.	Menefee	Scott	(Millen)
Fisher, C. R.	Middleswart		

The nays were, 1:

Uban

Absent or not voting, 10:

Ewell	Goode	Johnston	Lawson
Franklin	Grassley	Kehe	Wirtz
Freeman	Jesse		

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

Senate File 1026, a bill for an act relating to actions arising out of injuries or damages to property, with report of committee recommending passage, was taken up for consideration.

Kennedy of Chickasaw moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 1026)

The ayes were, 90:

Alt	Fisher, C. R.	Miller	Siglin
Anania	Hansen	Moffitt	Skinner
Andersen	Harbor	Mollett	Small
Bennett	Hill	Monroe	Sorg
Bergman	Holden	Nielsen	Stanley
Blouin	Husak	Norpel	Stokes
Bray	Kehe	Nystrom	Strand
Camp	Kelly	Patton	Stromer
Campbell	Kennedy	Pellett	Strothman
Christensen	Kinley	Pelton	Taylor
Clark	Knoblauch	Pierson	Tieden
Cochran	Knoke	Priebe	Trowbridge
Curtis	Kreamer	Radl	Uban
Den Herder	Kruse	Rex	Varley
Dougherty	Larson	Rodgers	Welden
Doyle	Lipsky	Roorda	Wells
Drake	Logemann	Sargisson	Willits
Dunton	Mayberry	Schmeiser	Winkelman
Edelen	McCormick	Schroeder	Wirtz
Egenes	McElroy	Schwartz	Wyckoff
Ellsworth	Mendenhall	Schwieger	Mr. Speaker
Ewell	Menefee	Scott	(Millen)
Fischer, H. O.	Middleswart	Shaw	

The nays were, none.

Absent or not voting, 10:

Franklin	Goode	Jesse	Lawson
Freeman	Grassley	Johnston	Waugh
Gluba	Hamilton		

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

SENATE FILE 527 REREFERRED

The Speaker announced that Senate File 527 now in the committee on appropriations is rereferred to the sifting committee.

MOTION TO RECONSIDER PENDING

(House File 1011)

Fisher of Greene called up for consideration the motion to reconsider **House File 1011**, a bill for an act relating to the attainment of the age of majority.

(Motion to reconsider House File 1011 pending at recess.)

The House was recessed until 1:30 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Harbor in the chair.

CONSIDERATION OF BILLS

SIFTING COMMITTEE NONCONTROVERSIAL CALENDAR

Senate File 1172, a bill for an act relating to the authority of the state conservation commission and providing a penalty, with report of committee recommending passage, was taken up for consideration.

Tieden of Clayton moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 1172)

The ayes were, 90:

Alt	Gluba	Middleswart	Schwieger
Anania	Grassley	Millen	Scott
Andersen	Hansen	Miller	Shaw
Bennett	Hill	Moffitt	Siglin
Bergman	Holden	Mollett	Skinner
Blouin	Husak	Monroe	Small
Bray	Jesse	Nielsen	Sorg
Camp	Kehe	Norpel	Stokes
Campbell	Kelly	Nystrom	Strand
Christensen	Kennedy	Patton	Stromer
Clark	Kinley	Pellett	Strothman
Cochran	Knoblauch	Pelton	Taylor
Curtis	Knoke	Pierson	Tieden
Den Herder	Kreamer	Priebe	Trowbridge
Dougherty	Kruse	Radl	Uban
Doyle	Larson	Rex	Waugh
Drake	Lawson	Rodgers	Welden
Dunton	Lipsky	Roorda	Wells
Edelen	Logemann	Sargisson	Willits
Ellsworth	McCormick	Schmeiser	Wirtz
Ewell	McElroy	Schroeder	Wyckoff
Fisher, C. R.	Mendenhall	Schwartz	Mr. Speaker
Freeman	Menefee		

The nays were, none.

Absent or not voting, 10:

Egenes	Goode	Mayberry	Varley
Fischer, H. O.	Hamilton	Stanley	Winkelman
Franklin	Johnston		

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

Speaker pro tempore Millen in the chair at 1:59 p.m.

Senate File 1198, a bill for an act to allow cities and towns to extend agreements to refrain from annexing specifically described territory, with report of committee recommending passage, was taken up for consideration.

Camp of Clinton moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 1198)

The ayes were, 94:

Alt	Freeman	Moffitt	Siglin
Anania	Gluba	Middleswart	Skinner
Andersen	Grassley	Miller	Small
Bennett	Hamilton	Moffitt	Sorg
Bergman	Hansen	Mollett	Stanley
Blouin	Harbor	Monroe	Stokes
Bray	Hill	Nielsen	Strand
Camp	Holden	Norpel	Stromer
Campbell	Husak	Nystrom	Strothman
Christensen	Kelly	Patton	Taylor
Clark	Kennedy	Pellett	Tieden
Cochran	Kinley	Pelton	Trowbridge
Curtis	Knoblauch	Pierson	Uban
Den Herder	Knoke	Priebe	Varley
Dougherty	Kreamer	Rex	Waugh
Doyle	Kruse	Rodgers	Welden
Drake	Larson	Roorda	Wells
Dunton	Lawson	Sargisson	Willits
Edelen	Lipsky	Schmeiser	Winkelman
Egenes	Logemann	Schroeder	Wirtz
Ellsworth	Mayberry	Schwartz	Wyckoff
Ewell	McCormick	Schwieger	Mr. Speaker
Fischer, H. O.	McElroy	Scott	(Millen)
Fisher, C. R.	Mendenhall	Shaw	

The nays were, none.

Absent or not voting, 6:

Franklin	Jesse	Kehe	Radl
Goode	Johnston		

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

Senate File 1110, a bill for an act to legalize a transfer of real property from the board of directors of the Prairie Community School District, Gowrie, Iowa, to Russell Jondle and Florence M. Jondle, with report of committee recommending passage, was taken up for consideration.

Cochran of Webster moved that the bill read a last time now

and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 1110)

The ayes were, 89:

Alt	Grassley	Miller	Siglin
Anania	Hamilton	Moffitt	Skinner
Andersen	Hansen	Mollett	Small
Bennett	Harbor	Monroe	Sorg
Bergman	Hill	Nielsen	Stanley
Blouin	Holden	Norpel	Stokes
Bray	Husak	Nystrom	Strand
Camp	Jesse	Patton	Stromer
Campbell	Kehe	Pellett	Strothman
Christensen	Kelly	Pierson	Taylor
Clark	Kinley	Priebe	Tieden
Cochran	Knoblauch	Radl	Trowbridge
Curtis	Knoke	Rex	Varley
Den Herder	Kreamer	Rodgers	Waugh
Dougherty	Kruse	Roorda	Welden
Doyle	Larson	Sargisson	Wells
Drake	Lawson	Schmeiser	Willits
Dunton	Lipsky	Schroeder	Winkelman
Egenes	Logemann	Schwartz	Wirtz
Ellsworth	McCormick	Schwieger	Wyckoff
Ewell	McElroy	Scott	Mr. Speaker
Freeman	Mendenhall	Shaw	(Millen)
Gluba	Menefee		

The nays were, 1:

Edelen

Absent or not voting, 10:

Fischer, H. O.	Goode	Mayberry	Pelton
Fisher, C. R.	Johnston	Middleswart	Uban
Franklin	Kennedy		

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

Speaker Harbor in the chair at 2:35 p.m.

MOTION TO RECONSIDER LOST

(House File 1011)

The House resumed consideration of the motion to reconsider the vote on **House File 1011**, a bill for an act relating to the attainment of the age of majority.

CALL OF THE HOUSE

Pursuant to Rule 73, the following members respectfully request a Call of the House on **House File 1011**.

BLOUIN of Dubuque
MCCORMICK of Delaware
KINLEY of Polk
SCHWARTZ of Wapello
COCHRAN of Webster

LIPSKY of Linn
 SCHWIEGER of Black Hawk
 CLARK of Lee
 CAMP of Clinton
 STANLEY of Linn
 GLUBA of Scott

Varley of Adair asked and received unanimous consent that Goode of Davis and Franklin of Polk be excused from the Call of the House.

Fisher of Greene moved to reconsider the vote by which House File 1011 passed the House on March 9, 1972.

Roll call was requested by Fisher of Greene and Blouin of Dubuque.

Rule 70 was invoked.

On the question "Shall the vote by which House File 1011 passed the House be reconsidered?"

The ayes were, 49:

Anania	Hansen	Mayberry	Sargisson
Bennett	Hill	McCormick	Schmeiser
Blouin	Husak	Middleswart	Schroeder
Bray	Jesse	Moffitt	Schwartz
Clark	Johnston	Mollett	Scott
Cochran	Kennedy	Monroe	Skinner
Curtis	Kinley	Norpel	Small
Dougherty	Knoblauch	Patton	Sorg
Doyle	Knoke	Pelton	Stanley
Dunton	Larson	Priebe	Uban
Egenes	Lawson	Radl	Wells
Ewell	Lipsky	Rodgers	Willits
Gluba			

The nays were, 49:

Alt	Grassley	Nielsen	Strothman
Andersen	Hamilton	Nystrom	Taylor
Bergman	Holden	Pellett	Tieden
Camp	Kehe	Pierson	Trowbridge
Campbell	Kelly	Rex	Varley
Christensen	Kreamer	Roorda	Waugh
Den Herder	Kruse	Schwieger	Welden
Drake	Logemann	Shaw	Winkelman
Edelen	McElroy	Siglin	Wirtz
Ellsworth	Mendenhall	Stokes	Wyckoff
Fischer, H. O.	Menefee	Strand	Mr. Speaker
Fisher, C. R.	Millen	Stromer	
Freeman	Miller		

Absent or not voting, 2:

Franklin Goode

The motion lost.

CONSIDERATION OF BILLS
APPROPRIATIONS CALENDAR

House File 1280, a bill for an act relating to the appropriation to the state board of regents, was taken up for consideration.

Egenes of Story asked and received unanimous consent to withdraw the amendment filed by her on March 6, 1972, and found on page 959 of the House Journal.

Egenes of Story offered the following amendment filed by her and moved its adoption:

Amend House File 1280 as follows:

By striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. There is appropriated from the general fund of the state to the state board of regents for use by the University of Northern Iowa for the fiscal year beginning July 1, 1972 and ending June 30, 1973, in addition to appropriations for the biennium beginning July 1, 1971, and ending June 30, 1973, the sum of five hundred forty-three thousand (543,000) dollars, or so much thereof as is necessary, to be used for salaries, support, maintenance, equipment and miscellaneous purposes."

Grassley of Butler rose on a point of order that the amendment was not germane.

The Speaker ruled the point well taken.

Small of Johnson offered the following amendment filed by him and moved its adoption:

Amend House File 1280, page 2, by striking all of lines 4 through 10 and inserting in lieu thereof the following:

"The state board of regents shall allocate from funds appropriated by subsection four (4), section one (1) for the fiscal year commencing July 1, 1972 and ending June 30, 1973, to the State University of Iowa and the Iowa State University of Science and Technology, the sum of three hundred sixty-eight thousand (368,000.00) dollars."

Roll call was requested by Small of Johnson and Gluba of Scott.

Rule 70 was invoked.

On the question "Shall the amendment be adopted?"

The ayes were, 18:

Anania	Gluba	Lipsky	Skinner
Blouin	Jesse	Patton	Small
Bray	Johnston	Pelton	Varley
Camp	Larson	Roorda	Winkelman
Egenes	Lawson		

The nays were, 66:

Alt	Hansen	Moffitt	Sorg
Andersen	Hill	Mollett	Stanley
Bennett	Husak	Monroe	Stokes
Campbell	Kehe	Nielsen	Strand
Christensen	Kinley	Norpel	Strothman
Clark	Knoblauch	Pellett	Taylor
Curtis	Knoke	Radl	Tieden
Dougherty	Kreamer	Rex	Trowbridge
Doyle	Kruse	Rodgers	Uban
Drake	Logemann	Sargisson	Waugh
Dunton	McCormick	Schmeiser	Welden
Edelen	McElroy	Schwartz	Wells
Ellsworth	Mendenhall	Schwieger	Willits
Ewell	Menefee	Scott	Wirtz
Fisher, C. R.	Middleswart	Shaw	Wyckoff
Grassley	Millen	Siglin	Mr. Speaker
Hamilton	Miller		

Absent or not voting, 16:

Bergman	Franklin	Kelly	Pierson
Cochran	Freeman	Kennedy	Priebe
Den Herder	Goode	Mayberry	Schroeder
Fischer, H. O.	Holden	Nystrom	Stromer

The amendment lost.

Larson of Story offered the following amendment filed by Larson and Blouin:

Amend House File 1280, page 2, by striking lines 4 through 13 and inserting in lieu thereof the following:

"There is appropriated from the general fund of the state for the fiscal year commencing July 1, 1972 and ending June 30, 1973, the sum of five hundred thousand dollars (\$500,000.00) to the agricultural experiment station at the Iowa state university of science and technology to be used for environmental pollution research."

Grassley of Butler rose on a point of order that the amendment was not germane.

The Speaker ruled the point well taken and the amendment not germane.

Larson of Story offered the following amendment filed by him and moved its adopted:

Amend House File 1280, page 2, line 10, after the word

"dollars" and insert the following words:

"to be used for the establishment of a department of criminal justice".

The amendment lost.

Egenes of Story offered the following amendment filed by her and moved its adoption:

Amend House File 1280, page 2, by striking lines 11, 12 and 13.

The amendment lost.

Bray of Scott offered the following amendment filed by him:

Amend House File 1280 by adding the following new section:

"Sec. There is appropriated from the general fund of the state to the state board of regents for the fiscal year beginning July 1, 1972, and ending June 30, 1973, in addition to appropriations for the biennium beginning July 1, 1971, and ending June 30, 1973, the sum of five hundred thousand (500,000) dollars for the medical and surgical treatment of indigent patients as provided in chapter two hundred fifty-five (255) of the Code."

Millen of Van Buren in the chair at 4:12 p.m.

Bray of Scott asked and received unanimous consent to withdraw his amendment.

Kennedy of Chickasaw offered the following amendment filed by him and Larson of Story and moved its adoption:

Amend House File 1280 by adding the following new section:

"Sec. There is appropriated from the general fund of the state to the state board of regents for the fiscal year beginning July 1, 1972, and ending June 30, 1973, in addition to appropriations for the biennium beginning July 1, 1971, and ending June 30, 1973, the sum of seven hundred twenty thousand (720,000) dollars for the establishment of four (4) Area Health Education Centers by the State University of Iowa.

Grassley of Butler rose on a point of order that the amendment was not germane.

The Speaker ruled the point well taken.

Larson of Story offered the following amendment filed by him and asked for a ruling of the Chair if the amendment was germane:

Amend House File 1280 by adding thereto the following new section:

"There is hereby appropriated from the general fund of the state for the year beginning July 1, 1972, and ending June 30, 1973, an additional and supplemental appropriation of four million seven hundred eighty-four thousand nine hundred (4,784,900.00) dollars to the Iowa State University of science and technology for salaries, support, maintenance, equipment and miscellaneous purposes on the general university."

The Speaker ruled the amendment not germane.

Rex of Hamilton asked and received unanimous consent to withdraw the amendment filed by him and Nystrom of Boone on March 10, 1972, and found on page 1067 of the House Journal.

Priebe of Kossuth offered the following amendment filed by him and Cochran of Webster:

Amend House File 1280 by adding the following new section:

"Sec. There is appropriated from the general fund of the state to Iowa State University of Science and Technology agricultural experiment station the sum of three hundred thousand dollars (300,000.00) for research for finding new ways to use corn for commercial, medicinal and other purposes within and without the state. Unexpended appropriations shall revert to the general fund June 30, 1976."

Grassley of Butler rose on a point of order that the amendment was not germane.

The Speaker ruled the point well taken.

Grassley of Butler moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1280)

The ayes were, 60:

Anania	Ewell	Kruse	Norpel
Andersen	Fischer, H. O.	Logemann	Patton
Bennett	Fisher, C. R.	McCormick	Pierson
Campbell	Grassley	McElroy	Priebe
Christensen	Hamilton	Mendenhall	Radl
Den Herder	Hansen	Menefee	Rex
Dougherty	Husak	Middleswart	Rodgers
Drake	Kelly	Miller	Sargisson
Dunton	Kinley	Mollett	Schmeiser
Edelen	Knoblauch	Monroe	Schroeder
Ellsworth	Knoke	Nielsen	Schwartz

Schwieger	Stanley	Taylor	Wells
Scott	Strand	Tieden	Wyckoff
Siglin	Stromer	Uban	Mr. Speaker
Skinner	Strothman	Waugh	(Millen)
Sorg			

The nays were, 32:

Alt	Egenes	Kennedy	Pelton
Blouin	Freeman	Kreamer	Roorda
Bray	Gluba	Larson	Small
Camp	Harbor	Lawson	Trowbridge
Clark	Hill	Lipsky	Varley
Cochran	Jesse	Mayberry	Welden
Curtis	Johnston	Moffitt	Willits
Doyle	Kehe	Pellett	Winkelman

Absent or not voting, 8:

Bergman	Goode	Nystrom	Stokes
Franklin	Holden	Shaw	Wirtz

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

HOUSE CONCURRENT RESOLUTION 130

By Egenes

Whereas, the Roland-Story girls basketball team has won the 1972 State Championship Tournament;

Whereas, before the tournament the Roland-Story team was not rated as one destined to advance to the state tournament; and

Whereas, the Roland-Story basketball team has displayed the utmost sportsmanship, teamwork and skill; and

Whereas, the state tournament truly is the time and place where the world's finest girls basketball is played; and

Whereas, Forward Cathy Kammin and Guard Janice Braathun headed the tournament team selections for All-State; *Now, Therefore*,

Be It Resolved by the House, the Senate Concurring, That the heartiest congratulations be extended to the Roland-Story School, its girls basketball team, Coach Bill Hennessy, teachers, school administrators and their families and loyal friends who encouraged the team through the regular season and during the tournament.

Be It Further Resolved, that a copy of this concurrent resolution be sent to Coach Bill Hennessy and the Roland-Story basketball team.

Laid over under Rule 25.

HOUSE CONCURRENT RESOLUTION 131

By Grassley, Freeman, Andersen, Taylor, Christensen, Millen, Rex, Bennett, Mendenhall, and Siglin

Whereas, state employee organizations are dedicated toward the welfare and betterment of all state employees; and

Whereas, state employee organizations find it necessary to sponsor profit making activities for the support of their organizations; and

Whereas, buildings and auditoriums on state grounds are vacant at various times; *Now, Therefore*,

Be It Resolved by the House of Representatives, the Senate Concurring, That the General Assembly strongly urges the agencies responsible for auditoriums on state grounds, to allow state employee organizations the use of the auditoriums any time during the year as a fringe benefit provided the specified date for the activity is not in conflict with any previously or regularly scheduled activity; and

Be It Further Resolved, That the agency responsible for the auditorium shall determine the fee, if any, to charge the organizations, but the fee may not exceed the actual maintenance expenses incurred.

Laid over under Rule 25.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File 1032, a bill for an act relating to the resignations of school board members.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File 1203, a bill for an act appropriating to the department of public defense for various capital improvements.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File 1213, a bill for an act regarding an appropriation of the office of the geological survey.

CARROLL A. LANE, Secretary

SENATE AMENDMENT TO HOUSE FILE 1032

- 1 Amend House File 1032, as passed by the House, by striking
- 2 everything after the enacting clause and inserting in lieu
- 3 thereof the following:
- 4 Section 1. Section two hundred seventy-nine point six
- 5 (279.6), Code 1971, is amended to read as follows:
- 6 279.6 VACANCIES [FILLED BY BOARD]—QUALIFICATION—
TENURE.
- 7 Vacancies occurring among the officers or members of a school
- 8 board shall be filled by the board by appointment. A person
- 9 so appointed to fill a vacancy in an elective office shall
- 10 hold until the organization of the board the third Monday in
- 11 September immediately following the next regular election and
- 12 until his successor is elected and qualified. A person
- 13 appointed to fill a vacancy in an appointive office shall hold
- 14 such office for the residue of the unexpired term and until
- 15 his successor is appointed and qualified. Any person so
- 16 appointed shall qualify within ten days thereafter in the

17 manner required by section 277.28.
 18 *However, if a member of a school board resigns from the*
 19 *board prior to the time for filing nomination papers for*
 20 *office as a school board member, as provided in section 277.4,*
 21 *and he specifies in his resignation that the resignation will*
 22 *be effective on the date the next term of office for elective*
 23 *school officials begins, the president of the board shall*
 24 *declare the office vacant as of that date and nomination papers*
 25 *shall be received for the unexpired term of the resigning member.*
 26 *The person elected at the next regular school election to*
 27 *fill the vacancy shall take office at the same time and*
 28 *place as the other elected school board members.*

INTRODUCTION OF BILL

House File 1300, by committee on appropriations, a bill for an act relating to Vietnam veterans' service compensation fund, authorizing the state of Iowa to become indebted in the amount of twenty-eight million dollars and providing for the issue and sale of bonds of the state in evidence thereof, and providing for the imposition, levy and collection of a direct annual tax sufficient to pay the principal and interest of the bonds and providing a penalty.

Read first time and placed on the appropriations calendar.

SENATE MESSAGES CONSIDERED

Senate File 1038, a bill for an act relating to eminent domain.

Read first time and referred to the sifting committee.

Senate File 1111, a bill for an act relating to the compensation of members of the general assembly.

Read first time and referred to the sifting committee.

Senate File 1191, a bill for an act relating to business corporations.

Read first time and referred to the sifting committee.

Senate File 1194, a bill for an act relating to the Iowa Probate Code.

Read first time and referred to the sifting committee.

Senate File 1195, a bill for an act relating to the drawing of grand jurors.

Read first time and referred to the sifting committee.

Senate File 1203, a bill for an act making an appropriation from the general fund of the state to the department of public defense for various capital improvements.

Read first time and referred to committee on **appropriations**.

Senate File 1213, a bill for an act relating to the appropriation of the office of the geological survey.

Read first time and referred to committee on **appropriations**.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Miller of Marshall, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: House Files 30, 48, 367, 574, 680, 1074, 1099, 1120, 1213 and 1257.

ELIZABETH R. MILLER
Chairman, House Committee

JOHN C. RHODES
Chairman, Senate Committee

Report adopted.

BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House the following bills: House Files 30, 48, 367, 574, 680, 1074, 1099, 1120, 1213 and 1257.

BILLS SENT TO THE GOVERNOR

Miller of Marshall, from the committee on enrolled bills, submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this 13th day of March, 1972, sent to the Governor for his approval: House Files 30, 48, 367, 574, 680, 1074, 1099, 1120, 1213 and 1257.

ELIZABETH R. MILLER, Chairman

Report adopted.

AMENDMENTS FILED

- 1 Amend Senate File 523 as amended and passed by the
- 2 Senate by striking all of Section 4 and inserting in
- 3 lieu thereof the following:
- 4 1. "Sec. 4. Section four hundred forty-one point
- 5 twenty-two (441.22), Code 1971, is amended by striking

6 the section and inserting in lieu thereof the follow-
7 ing new section:

8 441.22 FOREST AND FRUIT TREE RESERVATIONS. Forest
9 reservations fulfilling the conditions of sections
10 one hundred sixty-one point one (161.1) through one
11 hundred sixty-one point thirteen (161.13), inclusive,
12 of the Code shall be assessed at thirteen and one-half
13 percent of actual value. In assessing and determining
14 the actual value of forest property fifty percent
15 consideration shall be given to each of the following
16 factors:

17 a. The productivity and net earning capacity
18 determined on the basis of the use for forestry pur-
19 poses capitalized at a rate representing a fair return
20 on the investment, such rate to be established by the
21 state board of tax review and applied uniformly among
22 counties and among classes of property.

23 b. The fair and reasonable market value of such
24 property as defined herein, but such market value
25 shall be based only on its current use and not on
26 its potential for other uses.

27 In counties or townships in which field work on
28 a modern soil survey has been completed since January
29 1, 1949, the assessor and the department of revenue
30 shall place emphasis upon the results of such survey
31 in determining the productivity and earning capacity
32 of such forest land. Fruit tree reservations shall
33 be assessed at thirteen and one-half percent of actual
34 value for agricultural purposes for a period of eight
35 years from the time of planting. In all other cases
36 where trees are planted upon any tract of land, with-
37 out regard to area, for forest, fruit, shade, or
38 ornamental purposes, or for windbreaks, the assessor
39 shall not increase the valuation of such property
40 because of such improvements."

41 2. Page 3, by striking lines 1 through 4, inclu-
42 sive.

TIEDEN of Clayton

1 Amend the Senate amendment to House File 6 by
2 striking all of lines 154 through 157 and inserting in
3 lieu thereof the following:

4 40. Page 18, after line 5, insert the following
5 new section:

6 "Sec. Section one hundred thirty-eight point
7 one (138.1), subsections one (1) and sixteen (16),
8 Code 1971, are amended to read as follows:

9 1. 'Migrant labor camp' means one or more build-
10 ings, structures, shelters, tents, trailers, or vehi-
11 cles or any other structure or a combination thereof
12 together with the land appertaining thereto, estab-
13 lished, operated, or maintained as living quarters for
14 [seven or more] migrants or two or more shelters. A
15 camp shall include such land or quarters separate from
16 one another if the migrants housed therein work at any

17 time for the same person [and the total number of
18 migrants in all such camps is seven or more]. Such
19 separate camps shall constitute a portion of a migrant
20 labor camp.

21 16. 'Migrant' means any individual who customarily
22 and repeatedly travels from state to state for the
23 purpose of obtaining seasonal employment in agricul-
24 ture or processing of farm products, including but
25 not limited to, poultry, dairy, livestock, fruit,
26 vegetable, and grain products, including the spouse
27 and children of such individuals, whether or not
28 authorized by law to engage in such employment."

29 41. Renumber sections and correct internal refer-
30 ences to correspond with this amendment.

31 42. Page 1, amend the title, line 2, by inserting
32 before the word "and" the following: "provide for the
33 setting of fees, provide for the regulation of
34 buildings to house migrants,"; and line 3 by striking
35 the word "Code" and inserting in lieu thereof the
36 word "code".

GLUBA of Scott
SCOTT of Cerro Gordo

1 Amend the Senate amendment to House File 1156 as
2 follows:

- 3 1. Line 11, by striking the word "thirty" and
- 4 inserting in lieu thereof the word "forty".
- 5 2. By striking lines 13 and 14.
- 6 3. By striking lines 17 through 21.
- 7 4. By striking lines 22 and 23.

WINKELMAN of Calhoun
STANLEY of Linn

1 Amend House File 1228, page 2, line 5, by striking
2 the word "[except]" and inserting in lieu thereof the
3 word "except".

MIDDLESWART of Warren

1 Amend House File 1243, as follows:

- 2 1. Page 2, line 7, by inserting after the word
- 3 "benefits," the words "public assistance,".
- 4 2. Page 2, by inserting after line 31 the fol-
- 5 lowing new subsection:
- 6 " 'Net worth' means total assets less liabilities."
- 7 3. Page 5, by inserting after line 14 the fol-
- 8 lowing new subsection.
- 9 "Any person with a net worth exceeding twenty-
- 10 five thousand dollars shall not be eligible for any
- 11 benefits under the provisions of this Act."
- 12 4. Page 7, by striking lines 6 through 9,
- 13 inclusive.
- 14 5. Renumber sections and correct internal refer-
- 15 ences as are necessary in accordance with this
- 16 amendment.

GLUBA of Scott

- 1 Amend House File 1266 as follows:
 2 1. By adding the following new section:
 3 "Sec. Section sixty-eight B point five
 4 (68B.5), Code 1971, is amended to read as follows:
 5 68B.5 GIFTS SOLICITED OR ACCEPTED. No official,
 6 employee, member of the general assembly, or legis-
 7 lative employee shall, directly or indirectly, solicit,
 8 accept, or receive any gift having a value of [twenty-
 9 five] *five dollars* or more whether in the form of
 10 money, service, loan, travel, entertainment,
 11 hospitality, thing, or promise, or in any other form,
 12 *under circumstances under which it could reasonably*
 13 *be inferred that the gift was intended to influence*
 14 *him, or could reasonably be expected to influence*
 15 *him, in the performance of his official duties or*
 16 *as a reward for any official action on his part.*
 17 No person shall, directly or indirectly, offer or
 18 make any such gift to any official, employee, member
 19 of the general assembly, or legislative employee which
 20 has a value in excess of [twenty-five] *five dollars.*
 21 *The monetary limit shall not apply to receipt of food*
 22 *or a meal for immediate consumption.* Nothing herein
 23 shall preclude campaign contributions or gifts which
 24 are unrelated to legislative activities or to state
 25 employment."
 26 2. Amend the title, page 1, line 2, by inserting
 27 after the word "transactions" the words "and by pub-
 28 lic officials of this state".

SMALL of Johnson

- 1 Amend House File 1266 as follows:
 2 1. Page 1, line 11, by striking the word "*twenty-*
 3 *five*" and inserting in lieu thereof the word "*five*".
 4 2. Page 1, line 18, by striking the word "*twenty-*
 5 *five*" and inserting in lieu thereof the word "*five*".
 6 3. Page 1, line 18, by inserting after the period
 7 the following new sentence:
 8 "*The monetary limit shall not apply to receipt of*
 9 *food or a meal for immediate consumption.*"

SMALL of Johnson

- 1 Amend House File 1266, as follows:
 2 1. Page 1, line 20, by inserting after the word
 3 "apply" the word "exclusively".
 4 2. Page 1, lines 20 and 21, by striking the
 5 words "nor to legislators or legislative employees".

UBAN of Black Hawk

- 1 Amend Senate Concurrent Resolution 111 by striking the words
 2 "March 10" and inserting the words "March 17".

SKINNER of Polk

On motion by Varley of Adair, the House adjourned until
 9:00 a.m., Tuesday, March 14, 1972.

JOURNAL OF THE HOUSE

Sixty-fifth Calendar Day—Forty-seventh Session Day

HALL OF THE HOUSE OF REPRESENTATIVES
DES MOINES, IOWA, TUESDAY, MARCH 14, 1972

The House met pursuant to adjournment, Speaker Harbor in the chair.

Prayer was offered by the Reverend John D. McGowan, pastor of the New Christian Church, Des Moines, Iowa.

The Journal of Monday, March 13, 1972, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. G. L. Schmit, Cedar Rapids, Iowa.

PRESENTATION OF VISITORS

Fisher of Greene presented to the House Julia Fleming from Southport, England, who is a Rotary Exchange Student, and Elena Grijelma from Bilbao, Spain, an A.F.S. student.

Mollett of Pottawattamie presented to the House the Honorable Laurence E. Allen, Jr., former member of the House during the Sixty-second General Assembly, representing Pottawattamie County.

Clark of Lee presented to the House the Honorable Charles F. Eppers, former state Senator during the Fifty-eighth and Fifty-ninth General Assemblies, representing the first senatorial district.

Dunton of Keokuk presented to the House Laete Fernandes De Sousa, a Foreign Exchange Student from Brazil.

The Speaker announced that the following visitors were present in the House chamber:

Fifty-seven students from Centennial Elementary School, Altoona, Iowa, accompanied by Jean Brogg and Connie Toll. By Skinner of Polk.

Thirty-five government class students from Columbus Community School, Columbus Junction, Iowa, accompanied by Mr. Carrie and Mr. Buster. By Schmeiser of Des Moines.

Thirty senior students from Lone Tree High School, Lone Tree, Iowa, accompanied by LaVerne Barton. By Johnston of Johnson.

Thirty senior students from Hoover High School, Des Moines, Iowa, accompanied by Carol Axelle. By Willits of Polk.

Forty senior students from Anita High School, Anita, Iowa, accompanied by John Burke. By Pellett of Cass.

One hundred twenty senior students from Hampton High School, Hampton, Iowa, accompanied by Mrs. Pat Peterson, Michael Welsh and Berry Johnson. By Scott of Franklin.

Fifty-one students from Sacred Heart School, Waterloo, Iowa, accompanied by Sister Patricia and Mrs. Kubik. By Ewell of Black Hawk.

Seventy-five students from Hills Elementary School, Hills, Iowa, accompanied by Mrs. Lewis, Mrs. Larson, Mr. Bannow, Mrs. Buxton and Mr. Benda. By Small of Johnson.

Forty-three ninth grade students from Mason City Junior High School, Mason City, Iowa, accompanied by Don Brown and Richard Attleson. By Lawson of Cerro Gordo, Logemann of Worth and Scott of Cerro Gordo.

Sixteen 4-H Club officers of Henry and Des Moines County, accompanied by Mr. Schoeffelman, Mr. Bruer, Mr. McDonald and Mr. Van Syoc. By Strothman of Henry, Schmeiser of Des Moines and Monroe of Des Moines.

Twenty-five students from Keota-Harper Catholic School, Keota, Iowa, accompanied by Connie Sieren. By Dunton of Keokuk.

Thirty-four government class students from Manilla High School, Manilla, Iowa, accompanied by Tom Foy and Junior Carson. By Waugh of Monona.

PETITIONS FILED

The following petitions were received and placed on file:

By Lipsky of Linn from sixty-nine members of the North Linn Community School faculty supporting an intermediate unit and opposing the transfer of responsibility for public school services to area schools.

By Hansen of Black Hawk from fifty-eight students of Peet Junior High School, Cedar Falls, Iowa, protesting the shooting of Rusty Clark's dog at Williamson, Iowa, and requesting that the present law allowing this be amended.

PRESENTATION OF GIFTS

Skinner of Polk asked and received unanimous consent that Stanley of Linn and Skinner of Polk preside at the presentation of gifts to the following:

William H. Harbor, Speaker of the House
Floyd H. Millen, Speaker Pro Tempore
Andrew Varley, Majority Floor Leader
Richard F. Drake, Assistant Majority Floor Leader
Robert M. Kreamer, Assistant Majority Floor Leader
Dale M. Cochran, Minority Floor Leader
Berl E. Priebe, Assistant Minority Floor Leader
A. June Franklin, Minority Whip
William R. Kendrick, Chief Clerk

SENATE MESSAGE CONSIDERED

Senate File 517, a bill for an act to revise, update and correct certain sections of the Code of Iowa relating to school districts and school corporations.

Read first time and referred to the sifting committee.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has adopted the following concurrent resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 123, recognizing the outstanding performance of the Iowa State Wrestling Team in the N.C.A.A. tournament.

Also: That the Senate has adopted the following concurrent resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 125, congratulating the Roland-Story School for its 1972 State Basketball Championship.

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

House File 1047, a bill for an act relating to the lending and investing powers of savings and loan associations.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File 1089, a bill for an act relating to the Iowa insurance guaranty association.

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

House File 1141, a bill for an act relating to unfair trade practices in the business of insurance.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File 1207, a bill for an act relating to the hunting of migratory waterfowl and issuance of stamps.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File 1282, a bill for an act relating to the creation of a physicians' assistants fund.

Also: That the Senate has refused to concur in the House amendment to Senate File 1091, a bill for an act appropriating to the department of public instruction for the purpose of participating in certain federal programs.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File 1102, a bill for an act relating to a service tax on storage goods.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File 1192, a bill for an act relating to the control of dangerous substances and the board of pharmacy.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File 1214, a bill for an act appropriating to the local school systems and joint county systems for auxiliary services.

CARROLL A. LANE, Secretary

SENATE CONCURRENT RESOLUTION 123

By Smith and Van Drie

Whereas, the Iowa Legislature recognizes the outstanding performance of the Iowa State Wrestling Team in winning the N.C.A.A. wrestling tournament this past week at College Park, Maryland; and

Whereas, the Iowa Legislature wishes to properly credit Iowa State University for this outstanding achievement as well as winning this same honor three times in the past four years; *Therefore*

Be It Resolved by the Senate, the House of Representatives Concurring, That the Iowa Legislature in regular session March 13, 1972 on behalf of all Iowans, does hereby congratulate Coaches Nichols and Anderson and this great Iowa State University Wrestling Team in winning the coveted national honor and establishing three of their team members as individual national champions; and

Be It Further Resolved, That a copy of this resolution be forwarded to President Robert Parks of Iowa State University, Coaches Nichols and Anderson and the team.

Laid over under Rule 25.

SENATE AMENDMENT TO HOUSE FILE 1047

- 1 Amend House File 1047 as passed by the House, page 2, by
- 2 striking lines 1 through 21, inclusive, and renumber the
- 3 subsequent sections accordingly.

SENATE AMENDMENT CONSIDERED

Pellett of Cass called up for consideration **House File 1032**, a bill for an act relating to resignations of school board members, amended by the Senate, and moved that the House concur in the following Senate amendment:

Amend House File 1032, as passed by the House, by striking everything after the enacting clause and inserting in lieu thereof the following:

Section 1. Section two hundred seventy-nine point six (279.6), Code 1971, is amended to read as follows:

279.6 VACANCIES [FILLED BY BOARD]—QUALIFICATION—TENURE.

Vacancies occurring among the officers or members of a school board shall be filled by the board by appointment. A person so appointed to fill a vacancy in an elective office shall hold until the organization of the board the third Monday in September immediately following the next regular election and until his successor is elected and qualified. A person appointed to fill a vacancy in an appointive office shall hold such office for the residue of the unexpired term and until his successor is appointed and qualified. Any person so appointed shall qualify within ten days thereafter in the manner required by section 277.28.

However, if a member of a school board resigns from the board prior to the time for filing nomination papers for office as a school board member, as provided in section 277.4, and he specifies in his resignation that the resignation will be effective on the date the next term of office for elective school officials begins, the president of the board shall declare the office vacant as of that date and nominating papers shall be received for the unexpired term of the resigning member. The person elected at the next regular school election to fill the vacancy shall take office at the same time and place as the other elected school board members.

Motion prevailed and the House concurred in the Senate amendment.

Pellett of Cass moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and

placed upon its repassage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1032)

The ayes were, 88:

Alt	Freeman	Mendenhall	Scott
Anania	Gluba	Menefee	Shaw
Andersen	Hamilton	Middleswart	Siglin
Bergman	Hansen	Millen	Small
Blouin	Hill	Miller	Sorg
Bray	Holden	Moffitt	Stanley
Camp	Husak	Monroe	Stokes
Campbell	Jesse	Nielsen	Strand
Christensen	Johnston	Norpel	Stromer
Clark	Kehe	Nystrom	Strothman
Cochran	Kelly	Patton	Taylor
Curtis	Kennedy	Pellett	Tieden
Den Herder	Kinley	Pierson	Trowbridge
Dougherty	Knoblauch	Priebe	Uban
Doyle	Kruse	Rex	Varley
Drake	Larson	Rodgers	Waugh
Dunton	Lawson	Roorda	Wells
Edelen	Lipsky	Sargisson	Willits
Ellsworth	Logemann	Schmeiser	Winkelman
Ewell	Mayberry	Schroeder	Wirtz
Fischer, H. O.	McCormick	Schwartz	Wyckoff
Fisher, C. R.	McElroy	Schwieger	Mr. Speaker

The nays were, none.

Absent or not voting, 12:

Bennett	Goode	Kreamer	Radl
Egenes	Grassley	Mollett	Skinner
Franklin	Knoke	Pelton	Welden

The bill having received a constitutional majority was declared to have repassed the House and the title was agreed to.

ADOPTION OF THE REPORT OF THE
CONFERENCE COMMITTEE
(Senate File 431)

Tieden of Clayton called up for consideration the conference committee report on Senate File 431, a bill for an act relating to hunting restrictions, as follows:

CONFERENCE COMMITTEE REPORT
ON SENATE FILE 431

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to consider the difference between the Senate and the House of Representatives on Senate File 431, a bill for an act relating to hunting restrictions, respectfully submit the following recommendations:

1. The House recedes from its amendments.

2. By striking everything after the enacting clause and inserting in lieu thereof the following:

Section 1. Section one hundred nine point forty-eight (109.48), Code 1971, is amended by striking the section and inserting in lieu thereof the following:

109.48. RESTRICTIONS. No person, except as otherwise provided by law, shall willfully disturb, pursue, shoot, kill, take or attempt to take or have in possession any of the following game birds or animals except within the open season established by the commission: gray or fox squirrel, bobwhite quail, cottontail or jack rabbit, duck, snipe, pheasant, goose, woodcock, partridge, coot, rail, ruffed grouse, wild turkey, or deer. The seasons, bag limits, possession limits and locality shall be established by the commission under the authority of sections one hundred seven point twenty-four (107.24), one hundred nine point thirty-eight (109.38), and one hundred nine point thirty-nine (109.39) of the Code.

Subject to the annual approval of the commission by departmental rule, no person shall take, possess, transport or use migratory game birds except during the periods of time and in the manner and numbers established under the provisions of the federal "Migratory Bird Treaty Act" and the "Migratory Bird Stamp Hunting Act."

On the part of the Senate:

ALDEN ERSKINE, Chairman
GEORGE SHAWVER
CHARLES MILLER

On the part of the House:

DALE TIEDEN, Chairman
PERRY CHRISTENSEN
WALTER W. P. KRUSE
NORMAN RODGERS

Tieden of Clayton moved the adoption of the conference committee report and the amendments contained therein.

The motion prevailed and the report was adopted.

Tieden of Clayton moved that the bill be read a last time now and placed upon its repassage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 431)

The ayes were, 87:

Alt	Curtis	Gluba	Kreamer
Anania	Den Herder	Hamilton	Kruse
Andersen	Dougherty	Hansen	Larson
Bennett	Doyle	Holden	Lawson
Bergman	Drake	Husak	Lipsky
Blouin	Dunton	Jesse	Mayberry
Bray	Edelen	Johnston	McCormick
Camp	Ewell	Kehe	McElroy
Campbell	Fischer, H. O.	Kelly	Mendenhall
Christensen	Fisher, C. R.	Kennedy	Menefee
Clark	Franklin	Kinley	Middleswart
Cochran	Freeman	Knoblauch	Millen

Miller	Rex	Siglin	Tieden
Moffitt	Rodgers	Skinner	Trowbridge
Monroe	Roorda	Small	Uban
Nielsen	Sargisson	Sorg	Varley
Norpel	Schmeiser	Stanley	Wells
Nystrom	Schroeder	Stokes	Willits
Patton	Schwartz	Strand	Winkelman
Pellett	Schwieger	Stromer	Wyckoff
Pierson	Scott	Strothman	Mr. Speaker
Priebe	Shaw	Taylor	

The nays were, none.

Absent or not voting, 13:

Egenes	Hill	Mollett	Waugh
Ellsworth	Knoke	Pelton	Welden
Goode	Logemann	Radl	Wirtz
Grassley			

The bill having received a constitutional majority was declared to have repassed the House and the title was agreed to.

SENATE AMENDMENT CONSIDERED

Winkelman of Calhoun called up for consideration **House File 1156**, a bill for an act creating an Iowa world exposition authority, and specifying its purposes, powers and responsibilities, amended by the Senate as follows:

Amend House File 1156 as amended and passed by the House as follows:

1. Page 2, line 7, by striking the word "eleven" and inserting in lieu thereof the word "nine".

2. Page 2, line 9, by striking the word "Four" and inserting in lieu thereof the word "Five".

3. Page 2, by striking lines 17 through 21, inclusive.

4. Page 2, by striking lines 42 through 45, inclusive, and inserting in lieu thereof the following:

"Each member is entitled to receive his actual and necessary expenses and thirty dollars compensation for each day spent in performance of authority duties."

5. Page 3, line 15, by inserting after the word "Assembly" the words "for approval".

6. Page 3, line 38, by striking the word "Be-" and by striking lines 39 through 43, inclusive.

7. Page 3, line 43, by inserting after the period the following new sentence:

"The authority shall consider each bid of real estate offered in this state as a possible site for the exposition before making the final site selection."

8. Page 4, by striking lines 17 through 19, inclusive, and by making internal corrections in conformity herewith.

9. Page 6, line 1, by inserting after the first word "The" the following: "buildings, structures, and improvements placed upon real property and".

10. Page 6, line 2, by inserting after the period the following: "The real property upon which any such buildings, structures, or improvements are placed shall be valued, assessed, placed upon the tax rolls and be taxed as provided by law."

Speaker pro tempore Millen in the chair at 11:20 a.m.

Winkelman of Calhoun offered the following amendment to the Senate amendment filed by him and Stanley of Linn:

Amend the Senate amendment to House File 1156 as follows:

- 1. Line 11, by striking the word "thirty" and inserting in lieu thereof the word "forty".
- 2. By striking lines 13 and 14.
- 3. By striking lines 17 through 21.
- 4. By striking lines 22 and 23.

Division of the amendment was requested.

Winkelman of Calhoun moved the adoption of amendment 1, lines 1 through 4 of the amendment to the Senate amendment.

A non-record roll call was requested.

The ayes were 55, nays 20.

Amendment 1 of the amendment to the amendment was adopted.

Winkelman of Calhoun moved the adoption of amendment 2, lines 5 of the amendment to the Senate amendment.

Roll call was requested by Winkelman of Calhoun and Stanley of Linn.

On the question "Shall amendment 2 of the amendment be adopted?"

The ayes were, 50:

Alt	Hansen	Miller	Stanley
Andersen	Holden	Moffitt	Strand
Bennett	Knoblauch	Mollett	Taylor
Bergman	Knoke	Norpel	Tieden
Camp	Kreamer	Nystrom	Trowbridge
Campbell	Kruse	Patton	Varley
Christensen	Lawson	Pierson	Waugh
Den Herder	Logemann	Rodgers	Winkelman
Dougherty	Mayberry	Roorda	Wirtz
Doyle	McElroy	Schmeiser	Wyckoff
Drake	Mendenhall	Schroeder	Mr. Speaker
Ellsworth	Menefee	Scott	Millen
Hamilton	Middleswart	Siglin	

The nays were, 40:

Anania	Fisher, C. R.	Kinley	Shaw
Blouin	Franklin	McCormick	Skinner
Bray	Freeman	Monroe	Small
Clark	Gluba	Nielsen	Sorg
Cochran	Hill	Pellett	Stokes
Curtis	Husak	Priebe	Strothman
Edelen	Jesse	Rex	Uban
Egenes	Johnston	Sargisson	Welden
Ewell	Kehe	Schwartz	Wells
Fischer, H. O.	Kennedy	Schwieger	Willits

Absent or not voting, 10:

Dunton	Harbor	Lipsky	Radl
Goode	Kelly	Pelton	Stromer
Grassley	Larson		

Amendment 2 of the amendment to the Senate amendment was adopted.

(Senate amendment to House File 1156 and the Winkelman amendment to the Senate amendment pending at recess.)

ADOPTION OF SENATE CONCURRENT RESOLUTION 125

Egenes of Story asked and received unanimous consent to take up for consideration **Senate Concurrent Resolution 125** as follows and moved its adoption:

SENATE CONCURRENT RESOLUTION 125

By Rudy Van Drie

Whereas, the Roland-Story girls basketball team has won the 1972 State championship tournament; and

Whereas, before the tournament the Roland-Story team was not rated as one destined to advance to the state tournament; and

Whereas, the Roland-Story basketball team has displayed the utmost sportsmanship, teamwork and skill; and

Whereas, the state tournament truly is the time and place where the world's finest girls' basketball is played; and

Whereas, Forward Cathy Kammin and Guard Janice Braathun headed the tournament team selections for All-State; *Now, Therefore*,

Be It Resolved by the Senate, the House Concurring, That the heartiest congratulations be extended to the Roland-Story School, its girls basketball team, Coach Bill Hennessy, teachers, school administrators and their families and loyal friends who encouraged the team through the regular season and during the tournament.

Be It Further Resolved, that a copy of this concurrent resolution be sent to Coach Bill Hennessy and the Roland-Story basketball team.

Roll call was requested by Skinner of Polk and Norpel of Jackson.

Rule 70 was invoked.

On the question "Shall the resolution be adopted?"

The ayes were, 23:

Andersen	Edelen	Pierson	Stromer
Camp	Egenes	Rex	Strothman
Clark	Ellsworth	Roorda	Trowbridge
Cochran	Franklin	Shaw	Wyckoff
Den Herder	Miller	Small	Mr. Speaker
Dougherty	Pattson	Strand	(Millen)

The nays were, 18:

Blouin	Kreamer	Schwieger	Uban
Bray	Mollett	Scott	Varley
Gluba	Norpel	Skinner	Willits
Hill	Priebe	Stokes	Winkelman
Johnston	Schroeder		

Absent or not voting, 59:

Alt	Grassley	Lawson	Radl
Anania	Hamilton	Lipsky	Rodgers
Bennett	Hansen	Logemann	Sargisson
Bergman	Harbor	Mayberry	Schmeiser
Campbell	Holden	McCormick	Schwartz
Christensen	Husak	McElroy	Siglin
Curtis	Jesse	Mendenhall	Sorg
Doyle	Kehe	Menefee	Stanley
Drake	Kelly	Middleswart	Taylor
Dunton	Kennedy	Moffitt	Tieden
Ewell	Kinley	Monroe	Waugh
Fischer, H. O.	Knoblauch	Nielsen	Welden
Fisher, C. R.	Knoke	Nystrom	Wells
Freeman	Kruse	Pellett	Wirtz
Goode	Larson	Pelton	

The resolution was adopted.

The House was recessed until 1:30 p.m.

AFTERNOON SESSION

The House reconvened, Speaker pro tempore Millen in the chair.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 126

Hill of Polk called up for consideration **House Concurrent Resolution 126** filed on March 8, 1972, and found on pages 992 and 993 of the House Journal, and moved its adoption.

The motion prevailed and the resolution was adopted.

FURTHER CONSIDERATION OF SENATE AMENDMENT

(House Concurrs in Part, Amends in Part)

And Refuses to Concur in Part)

(House File 1156)

The House resumed consideration of the Senate amendment to House File 1156, a bill for an act creating an Iowa world exposition authority, and specifying its purposes, powers, and responsibilities and the Winkelman-Stanley amendment to the Senate amendment.

Skinner of Polk offered the following amendment to the Senate amendment and moved its adoption:

Amend the Senate amendment to House File 1156, line 21, by inserting after the word "selection" the following: "prior to a deadline to be set by the Executive Council."

The amendment to the amendment was adopted.

Winkelman of Calhoun asked and received unanimous consent to withdraw amendment 3, line 6 of the amendment filed by him and Stanley of Linn.

Winkelman of Calhoun moved the adoption of amendment 4, line 7 of the amendment to the Senate amendment.

Roll call was requested by Skinner of Polk and Blouin of Dubuque.

On the question "Shall amendment 4, line 7 of the amendment to the Senate amendment be adopted?"

The ayes were, 71:

Alt	Freeman	Menefee	Shaw
Anania	Gluba	Middleswart	Siglin
Andersen	Grassley	Miller	Skinner
Bennett	Hansen	Moffitt	Small
Bergman	Holden	Nielsen	Stanley
Camp	Husak	Norpel	Stokes
Campbell	Jesse	Nystrom	Strand
Christensen	Johnston	Patton	Taylor
Clark	Knoblauch	Pellett	Tieden
Cochran	Knoke	Pierson	Trowbridge
Curtis	Kreamer	Rex	Uban
Dougherty	Kruse	Rodgers	Waugh
Drake	Lipsky	Roorda	Wells
Dunton	Longemann	Sargisson	Willits
Edelen	Mayberry	Schmeiser	Winkelman
Ellsworth	McCormick	Schroeder	Wyckoff
Fisher, C. R.	McElroy	Schwartz	Mr. Speaker
Franklin	Mendenhall	Schwieger	(Millen)

The nays were, 9:

Blouin	Hill	Larson	Scott
Bray	Kennedy	Priebe	Wirtz
Egenes			

Absent or not voting, 20:

Den Herder	Hamilton	Lawson	Sorg
Doyle	Harbor	Mollett	Stromer
Ewell	Kehe	Monroe	Strothman
Fischer, H. O.	Kelly	Pelton	Varley
Goode	Kinley	Radl	Welden

Amendment 4 of the amendment to the Senate amendment was adopted.

Skinner of Polk offered from the floor the following amendment to the Senate amendment filed by him:

Amend the Senate amendment to House File 1156 by striking lines 22 and 23 and insert in lieu thereof the following: "However, the approval of the Executive Council shall be withheld until such time as the Executive Council is able to determine that 75% of the entire tract has been purchased or optioned by the authority."

Skinner of Polk asked and received unanimous consent to withdraw his amendment to the Senate amendment.

Winkelman of Calhoun moved that the House concur in amendments 1, 2, 3 and 4, lines 1 through 12 of the Senate amendment as amended.

The motion prevailed and the House concurred in amendments 1, 2, 3, and 4 of the Senate amendment as amended by the House.

Winkelman of Calhoun moved that the House concur in amendment 6, lines 15 and 16 of the Senate amendment.

Roll call was requested by Priebe of Kossuth and Winkelman of Calhoun.

On the question "Shall the House concur in amendment 6 of the Senate amendment?"

The ayes were, 16:

Doyle	Kreamer	Rodgers	Stromer
Holden	Logemann	Roorda	Trowbridge
Knoblauch	McElroy	Stanley	Varley
Knoke	Moffitt	Strand	Winkleman

The nays were, 61:

Alt	Ewell	Middleswart	Schwartz
Anania	Franklin	Miller	Scott
Andersen	Gluba	Mollett	Shaw
Bergman	Grassley	Monroe	Siglin
Blouin	Hill	Nielsen	Skinner
Bray	Husak	Norpel	Small
Campbell	Jesse	Nystrom	Sorg
Christensen	Johnston	Patton	Stokes
Clark	Kehe	Pellett	Strothman
Cochran	Kinley	Pierson	Tieden
Curtis	Kruse	Priebe	Uban
Den Herder	Larson	Radl	Welden
Dougherty	McCormick	Rex	Wells
Edelen	Mendenhall	Sargisson	Willits
Egenes	Menefee	Schmeiser	Wyckoff
Ellsworth			

Absent or not voting, 23:

Bennett	Freeman	Kennedy	Schwieger
Camp	Goode	Lawson	Taylor
Drake	Hamilton	Lipsky	Waugh
Dunton	Hansen	Mayberry	Wirtz
Fischer, H. O.	Harbor	Pelton	Mr. Speaker
Fisher, C. R.	Kelly	Schroeder	(Millen)

The motion lost and the House refused to concur in amendment 6 of the Senate amendment.

Winkelman of Calhoun moved that the House concur in amendment 7, lines 17 through 21 of the Senate amendment as amended.

The motion prevailed and the House concurred in amendment 7 of the Senate amendment as amended by the House.

Winkelman of Calhoun moved that the House concur in amendments 9 and 10, lines 24 through 31 of the Senate amendment.

A non-record roll call was requested.

The ayes were 38, nays 45.

The motion lost and the House refused to concur in amendments 9 and 10 of the Senate amendment.

HOUSE INSISTS ON HOUSE AMENDMENT
TO SENATE FILE 1091

Grassley of Butler called up for consideration the House amendment to Senate File 1091, a bill for an act making an

appropriation to the department of public instruction for the purpose of participating in certain federal programs, and moved that the House insist on the House amendment to Senate File 1091.

A non-record roll call was requested.

The ayes were 83, nays 2.

The motion prevailed and the House insists on the House amendment to Senate File 1091.

CONFERENCE COMMITTEE APPOINTED
(Senate File 1091)

The Speaker announced the appointment of the conference committee to consider the differences between the House and Senate concerning Senate File 1091: Kreamer of Polk, chairman; Taylor of Dubuque, McElroy of Fremont and Dunton of Keokuk.

SENATE AMENDMENT CONSIDERED

Ellsworth of Dubuque asked and received unanimous consent to take up for immediate consideration **House File 1141**, a bill for an act relating to unfair trade practices in the business of insurance and providing a penalty, amended by the Senate, and moved that the House concur in the following Senate amendment:

Amend House File 1141, as amended and passed by the House as follows:

1. Page 9, line 17, by striking the word "subsection" and inserting in lieu thereof the word "section".
2. Page 10, line 20, by striking the words "*such violation was willful*", and inserting in lieu thereof the following: "*the person knew or reasonably should have known he was in violation of section five hundred seven B point four (507B.4) or five hundred seven B point five (507B.5) of the Code*".
3. Page 10, by inserting after the period in line 23 the following: "*The commissioner shall, if he finds the violations of sections five hundred seven B point four (507B.4) or five hundred seven B point five (507B.5) of the Code were directed, encouraged, condoned, ignored, or ratified by the employer of such person, assess such fine to the employer and not such person.*"

The motion prevailed and the House concurred in the Senate amendment.

Ellsworth of Dubuque moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now

and placed upon its repassage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1141)

The ayes were, 82:

Alt	Fischer, H. O.	Mayberry	Siglin
Anania	Fisher, C. R.	McCormick	Skinner
Andersen	Franklin	McElroy	Small
Bergman	Freeman	Mendenhall	Sorg
Blouin	Gluba	Middleswart	Stanley
Bray	Grassley	Miller	Stokes
Camp	Hansen	Moffitt	Stromer
Campbell	Harbor	Monroe	Strothman
Christensen	Hill	Nielsen	Taylor
Clark	Holden	Norpel	Tieden
Cochran	Husak	Nystrom	Trowbridge
Curtis	Jesse	Patton	Varley
Den Herder	Johnston	Priebe	Waugh
Dougherty	Kehe	Radl	Wells
Doyle	Kennedy	Rodgers	Willits
Drake	Kinley	Roorda	Winkelman
Dunton	Knoblauch	Sargisson	Wirtz
Edelen	Knoke	Schmeiser	Wyckoff
Egenes	Kreamer	Schwartz	Mr. Speaker
Ellsworth	Kruse	Scott	(Millen)
Ewell	Logemann	Shaw	

The nays were, none.

Absent or not voting, 18:

Bennett	Lawson	Pelton	Schwieger
Goode	Lipsky	Pierson	Strand
Hamilton	Menefee	Rex	Uban
Kelly	Mollett	Schroeder	Welden
Larson	Pellett		

The bill having received a constitutional majority was declared to have repassed the House and the title was agreed to.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File 1001, a bill for an act relating to safety inspection and regulation of amusement rides.

Also: That the Senate has concurred in House amendment to and passed the following bill in which the concurrence of the Senate was asked:

Senate File 1148, a bill for an act relating to civil rights of physically and mentally handicapped persons.

CARROLL A. LANE, Secretary

SENATE AMENDMENT TO HOUSE FILE 1001

1 Amend House File 1001, as amended and passed by the House, as
2 follows:

3 1. Page 2, lines 21 and 22, by striking the words “, goods
4 or services”.

5 2. Page 4, by adding after line 17 the following new paragraph:

6 “There is appropriated from the general fund of the
7 state to the amusement inspection fund the sum of thirty-seven
8 thousand (37,000) dollars or so much thereof as may be necessary,
9 to be used by the bureau of labor to carry out the provisions
10 of this Act. On January 1, 1973, the sum of thirty-seven
11 thousand (37,000) dollars shall revert from the amusement
12 inspection fund to the general fund of the state.”

13 3. Page 6, by inserting after line 23 the following new
14 subsections:

15 “3. The commissioner may exempt amusement devices
16 from the provisions of this Act that have self-contained
17 wiring installed by the manufacturer, that are operated
18 manually by the use of hands or feet, that operate on less
19 than one hundred twenty volts of electrical power, and that
20 are fixtures within or part of a structure subject to the
21 building code of this state or any political subdivision
22 of this state.”

23 “4. The commissioner may exempt playground equip-
24 ment owned, maintained, and operated by any political sub-
25 division of this state.”

26 4. Page 7, line 2, by inserting after the period the following
27 sentence:

28 “The annual permit and inspection fees shall be paid before
29 the commissioner may waive this requirement.”

30 5. Page 7, by adding after line 2 the following new section:

31 “Sec. This Act, being deemed of immediate importance,
32 shall take effect and be in force from and after its publication
33 in the Lee Town News, a newspaper published in Des Moines, Iowa,
34 and in The Daily Gate City, a newspaper published in Keokuk,
35 Iowa.”

HOUSE CONCURRENT RESOLUTION 132

By Fischer of Grundy

Whereas, the Board of Governors of the Federal Reserve System has issued a formal policy statement directing the Presidents of the Federal Reserve Banks to extend check clearing arrangements into larger zones of immediate payment and establish other regional clearing arrangements wherever warranted by the need for more expeditious and economical check handling; and

Whereas, the Federal Reserve Bank of Chicago, which serves the Seventh Federal Reserve District including Iowa, has established objectives to implement these directives including the establishment of a regional check clearing facility in Des Moines, Iowa; and

Whereas, the establishment of a regional check clearing facility in Des Moines will be valuable to Iowans because of the employment of additional persons in the Des Moines area, the reduction of check clearing time, and providing the business community with more funds because of faster check

clearing with the result that more businesses may be attracted to the central region of Iowa; and

Whereas, in developing the plans to implement the directives of the Board of Governors of the Federal Reserve System consideration is being given to dividing Iowa between two Federal Reserve Districts which might have the effect of fragmenting the State of Iowa; and

Whereas, such fragmentation would be disadvantageous to the business communities of Iowa if not implemented with due consideration to the needs of individual economic areas within the State of Iowa, *Now, Therefore*,

Be It Resolved by the House of Representatives, the Senate Concurring, That the General Assembly strongly urges the Board of Governors of the Federal Reserve System and the Federal Reserve Bank of Chicago not to detract from the beneficial aspects of their objectives by fragmenting the State of Iowa into different Federal Reserve Districts, or if some fragmentation is necessary because of the economic characteristics of certain regions of the State of Iowa, the needs of the business interests of the state as a whole be carefully considered and only those areas of the state which have a distinct definable economic interest in areas outside of the state be joined to such areas; and

Be It Further Resolved, That a copy of this resolution be forwarded to each member of the Iowa Congressional delegation in order that each such member can inform the Board of Governors of the Federal Reserve System and the Federal Reserve Bank of Chicago of the concern, interest, and position of Iowa citizens in regard to the pending changes in the Federal Reserve System.

Laid over under Rule 25.

HOUSE CONCURRENT RESOLUTION 133

By Cochran, Priebe and Christensen

Whereas, it is in the interests of the people of Iowa that pollution caused by lead from gasoline be eliminated; and

Whereas, it is in the interests of the people of Iowa that Iowa develop industries that absorb surplus grain, provide employment, and utilize renewable natural resources; and

Whereas, a lead free motor fuel made from grain alcohol is being developed and tested in other states; and

Whereas, the development of a grain alcohol motor fuel industry in Iowa would provide employment, absorb surplus grain, utilize renewable natural resources, raise grain prices and benefit the entire Iowa economy, *Now, Therefore*,

Be It Resolved by the House of Representatives, the Senate Concurring, That the legislative council be authorized to create a study committee consisting of legislative members from both political parties and both houses of the General Assembly, and such non-legislative members as necessary, for the purpose of conducting a study relating to the feasibility of the manufacture of grain alcohol motor fuel by Iowa industries, and to the development of state sponsored programs to support such manufacture; and

Be It Further Resolved, That the committee shall make a final report, including necessary bill drafts to implement its recommendations, to the

legislative council. Copies of the report approved by the legislative council shall be submitted to the General Assembly meeting in the year 1973.

Laid over under Rule 25.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Miller of Marshall, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: House Files 217, 219, 544, 1042, 1071, 1117, 1176 and 1253 and Senate Files 260, 334, 593, 1070 and 1188.

ELIZABETH R. MILLER
Chairman, House Committee
JOHN C. RHODES
Chairman, Senate Committee

Report adopted.

BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House the following bills: House Files 217, 219, 544, 1042, 1071, 1117, 1176 and 1253 and Senate Files 260, 334, 593, 1070 and 1188.

BILLS SENT TO THE GOVERNOR

Miller of Marshall, from the committee on enrolled bills, submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has on this 14th day of March, 1972, sent to the Governor for his approval: House Files 217, 219, 544, 1042, 1071, 1117, 1176 and 1253.

ELIZABETH R. MILLER, Chairman

Report adopted.

AMENDMENTS FILED

- 1 Amend Senate File 1191, as amended and passed
- 2 by the Senate, as follows:
- 3 1. Page 5, by inserting after line 30 the following
- 4 paragraph:
- 5 "Special meetings of the shareholders may be
- 6 called by the president, the board of directors, the
- 7 holders of not less than one-tenth of all the shares
- 8 entitled to vote at the meeting, or such other
- 9 officers or persons as may be provided in the
- 10 articles of incorporation or the bylaws."
- 11 2. Page 6, by striking lines 7 through 16 and

12 inserting in lieu thereof the following:

13 Sec. 9. Chapter four hundred ninety-six A,
14 (496A), Code 1971, is amended by adding the
15 following new section:

16 **LOANS TO EMPLOYEES AND DIRECTORS. A**

17 corporation shall not lend money to or use its
18 credit to assist its directors without authorization
19 in the particular case by its shareholders, but may
20 lend money to and use its credit to assist any
21 employee of the corporation or of a subsidiary
22 including any such employee who is a director of
23 the corporation, if the board of directors decides
24 that such loan or assistance may benefit the
25 corporation."

26 3. Page 6, by striking lines 17 through 30.

27 4. By renumbering the subsequent sections.

HILL of Polk

1 Amend House File 1196 as follows:

2 1. By striking everything after the enacting
3 clause and inserting in lieu thereof the following:

4 Section 1. Pursuant to section two (2) of chapter
5 two hundred ninety-three (293), Acts of the Sixty-
6 third General Assembly, First Session, the general
7 assembly hereby determines that Terrace Hill shall be
8 used, when finally remodeled, as the governor's
9 mansion. The executive council shall make plans for
10 the use of Terrace Hill as the governor's mansion and
11 in making such plans shall consider making the first
12 floor of Terrace Hill available to the public subject
13 to reasonable restrictions in order to preserve its
14 primary function for use by the governor for official
15 state functions and in order to preserve the beauty,
16 decor and antiquity of Terrace Hill.

17 Sec. 2. The executive council may accept gifts
18 and federal funds and use such gifts and federal
19 funds for the purpose of converting or planning for
20 the conversion of Terrace Hill subject to such condi-
21 tions as may be contained in the grant of the gifts.
22 The executive council may accept gifts of personal
23 property for placement in Terrace Hill.

24 Sec. 3. The executive council shall use such
25 funds as may be available under the provisions of
26 section nineteen point twenty-nine (19.29) of the
27 Code, pursuant to the authorization contained in
28 chapter two hundred ninety-three (293), Acts of the
29 Sixty-fourth General Assembly, First Session, to
30 carry out the provisions of this Act.

31 Sec. 4. The executive council shall make a report
32 to the general assembly meeting in the year 1973
33 regarding plans for the remodeling and conversion of
34 Terrace Hill as the governor's mansion. The execu-
35 tive council shall consider recommendations of any
36 committee appointed to plan for the use of Terrace
37 Hill as a governor's mansion.

38 2. Page 1, amend the title by striking from
39 lines 2 and 3 the words "and making an appropria-
40 tion".

FISHER of Greene
VARLEY of Adair

1 Amend Senate File 1203 as follows:

2 1. Page 2, line 9, by inserting before the period
3 the words "and as a site for the operation of an
4 emergency helicopter ambulance service".

5 2. Page 2, by inserting the following new section
6 after line 24:

7 "Sec. 6. The adjutant general shall establish
8 under the direction of the Iowa national guard an
9 emergency helicopter ambulance service to transport
10 persons who require emergency medical treatment or
11 require emergency transfer between hospitals and to
12 transport emergency medical supplies, equipment or
13 personnel.

14 The Iowa national guard shall provide the emergen-
15 cy helicopter ambulance service from its available
16 manned helicopters at the request of the governor,
17 Iowa highway safety patrol, or the administrative heads
18 of the hospitals located in Iowa, unless the Iowa
19 national guard does not have a manned helicopter
20 available or is in active service under the armed
21 forces of the United States.

22 The adjutant general shall establish policies and
23 procedures to carry out the provisions of this section.
24 The policies and procedures shall provide that the
25 emergency helicopter ambulance service shall be
26 coordinated and supplemental
27 to, and not competitive with conventional ambulance
28 services. In determining whether an emergency exists
29 the policies and procedures shall give reasonable
30 consideration to the risk of death or permanent injury
31 due to delayed treatment resulting from; remoteness
32 of an area from any hospital, the absence or
33 unavailability of conventional ambulance services,
34 and the distance to be traveled in a transfer between
35 hospitals."

36 3. Page 1, line 3, by amending the title by insert-
37 ing after the word "improvements" the words "and
38 providing for emergency helicopter ambulance service".

LIPSKY of Linn
CAMPBELL of Washington

1 Amend the Senate amendment to House File 1247,
2 as follows:

3 1. By striking lines 13 through 16, inclusive.

4 2. Line 18, by striking the words "except that"
5 and inserting in lieu thereof the words "However, if
6 after extension of state communications and educational
7 radio and television as provided in this subsection
8 sufficient funds are available,".

9 3. Line 19, after the word "dollars" insert the
10 words "from funds allocated pursuant to this sub-
11 section".

TIEDEN of Clayton
MENDENHALL of Allamakee
ANDERSEN of Woodbury
KELLY of Woodbury

1 Amend the Senate amendment to House File 1247,
2 line 20, by inserting after the word "facility"
3 the following: "on the condition that ample funds
4 will remain to complete the projects in northeast
5 and northwest Iowa".

LAWSON of Cerro Gordo
LOGEMANN of Worth
SCOTT of Franklin

1 Amend the Camp, et al., amendment to House File 1291
2 filed March 7, as follows:
3 1. Line 4, by striking the word "governor" and
4 inserting in lieu thereof the words "league of women
5 voters".
6 2. Line 7, by striking the word "governor" and
7 inserting in lieu thereof the words "league of women
8 voters".
9 3. Line 10, by striking the word "governor" and
10 inserting in lieu thereof the words "league of women
11 voters".

SKINNER of Polk

1 Amend House File 1294, page 2, by striking in
2 line 3 the words and figures "two hundred thousand
3 (200,000)" and substituting in lieu thereof the
4 words and figures "one hundred thousand (100,000)".

WELDEN of Hardin

1 Amend House File 1294, page 2, line 3, by striking
2 the words and figures "two hundred thousand (200,000)"
3 and inserting in lieu thereof the words and figures
4 "one hundred fifty-four thousand (154,000)".

UBAN of Black Hawk

1 Amend House File 1300 as follows:
2 1. By striking everything after the enacting
3 clause and inserting in lieu thereof the following:
4 "Section 1. DECLARATION OF POLICY. The state of
5 Iowa, cognizant of the destructiveness of the Vietnam
6 war upon the lives of persons around the world, and
7 particularly the lives of Iowans who have served in
8 the military service during this period, deems it
9 fitting to embark upon a program of service compensa-
10 tion to remedy the destructiveness of this war upon
11 citizen soldiers of our state. To that end, this
12 Act seeks to provide total compensation to our citi-

13 zen soldiers and to forego the token one-time dollar
14 payments, a custom of deteriorating value.

15 Sec. 2. A SERVICE COMPENSATION BOARD. There is
16 hereby created a board to be known as the service
17 compensation board which shall consist of the auditor
18 of state, the treasurer of state and three public
19 members each appointed by the governor to serve a
20 term of four years. The public members of the board
21 shall be knowledgeable of the scope of problems
22 confronting the veteran attempting to reestablish
23 himself as a citizen in the state of Iowa.

24 Sec. 3. DUTIES OF THE BOARD. The board shall
25 gather, collect and analyze all pertinent information
26 and facts regarding the needs of veterans returning
27 to Iowa and analyze the resources available to the
28 veterans from all sources to meet such needs. After
29 such analyses the board shall prepare comprehensive
30 programs it deems advisable with technical aid and
31 assistance from the legislative service bureau to
32 supplement and expand resources available from the
33 federal government or to create entirely new state
34 resources for veterans. The board's inquiry into
35 the needs of returning veterans shall include, but
36 is not limited to, employment; drug abuse; education,
37 vocational training; physical and mental rehabilita-
38 tion, treatment or care; family problems occasioned
39 by former military service, including needs of widows
40 and widowers of veterans; and the adoption in Iowa
41 of children fathered by American servicemen in for-
42 eign countries. The board shall, within the limit of
43 available funds, hire employees and clerical staff
44 and purchase the supplies necessary to carry out the
45 provisions of this Act.

46 Sec. 4. The board shall promulgate rules and
47 regulations under chapter seventeen A (17A) of the
48 Code for programs established under the authority of
49 this Act.

50 Sec. 5. The board shall make an annual report
51 to the general assembly, evaluating programs and
52 accounting for all expenditures authorized by this
53 Act.

54 Sec. 6. The public members of the board shall
55 receive as compensation their necessary actual
56 expenses to be paid from the service compensation
57 fund.

58 Sec. 7. TAX IMPOSED—ADMINISTRATION.

59 1. An additional tax, or surtax, is imposed
60 annually upon every person liable to pay a computed
61 tax pursuant to chapter four hundred twenty-two
62 (422), division two (II), of the Code, at rates
63 specified in subsection four (4), paragraph a, of
64 this section.

65 2. An additional tax, or surtax, is imposed
66 annually upon every corporation liable to pay a

67 computed tax pursuant to chapter four hundred
68 twenty-two (422), division three (III), of the
69 Code, at rates specified in subsection four (4),
70 paragraph b, of this section.

71 3. An additional tax, or surtax, is imposed
72 annually upon every financial institution liable
73 to pay a computed franchise tax pursuant to chapter
74 four hundred twenty-two (422), division five (V),
75 of the Code, at rates specified in subsection four
76 (4), paragraph c, of this section.

77 4. a. The additional tax imposed under sub-
78 section one (1) of this section is computed by apply-
79 ing the rate of two percent to the computed tax,
80 after the deduction of personal exemptions, of the
81 person as determined under chapter four hundred
82 twenty-two (422), division two (II), of the Code.

83 b. The additional tax imposed under subsection
84 two (2) of this section is computed by applying the
85 rate of two percent to the computed tax of the cor-
86 poration as determined under section four hundred
87 twenty-two point thirty-three (422.33) of the Code.

88 c. The additional tax imposed under subsection
89 three (3) of this section is computed by applying
90 the rate of two percent to the computed franchise
91 tax of the financial institution as determined under
92 section four hundred twenty-two point sixty-three
93 (422.63) of the Code.

94 5. For the purposes of administering the pro-
95 visions of this section the provisions of chapter
96 four hundred twenty-two (422) of the Code relating
97 to the administration of the state individual income
98 tax, corporate income tax and franchise tax, as
99 applicable, including but not limited to the with-
100 holding of income taxes, declaration of estimated
101 taxes, form and time of returns, the payment of
102 income taxes and interest and penalties, refunds,
103 revisions, appeals, attachment of liens, confiden-
104 tiality of records, powers of the director of revenue,
105 and civil and criminal penalties, shall govern the
106 administration of this section. The director of
107 revenue shall place on the state income tax return
108 a separate line item entitled 'Vietnam veterans'
109 compensation surtax' upon which shall be computed the
110 tax imposed by this section.

111 6. The provisions of this section shall be
112 effective for all taxable years beginning on or after
113 January 1, 1973.

114 Sec. 8. DEFINITION. A veteran is defined as any
115 person, male or female, who served on active duty,
116 in the armed forces of the United States, at any time
117 between August 5, 1964 and ending on the date set by
118 Congress for cessation of hostilities in Vietnam,
119 Cambodia, Laos, and Thailand, all dates inclusive,
120 and who at the time of entering into service was a
121 legal resident of the state of Iowa, and who had

122 maintained such residence for a period of at least
123 six months immediately prior thereto, and was sepa-
124 rated or discharged from such service, or has been
125 retired, or has been furloughed to a reserve, or has
126 been placed on inactive status.

127 Sec. 9. There is created in the office of the
128 treasurer of state a fund into which shall be
129 deposited all funds received from the taxes imposed
130 by this section and shall be known as the service
131 compensation fund.

132 The service compensation board shall expend
133 amounts it deems necessary from the service compensa-
134 tion fund, but it shall not expend a total amount
135 greater than is in the fund.

136 All funds raised pursuant to the tax imposed by
137 section seven (7) of this Act shall be deposited in
138 the service compensation fund. All funds deposited
139 in the service compensation fund are appropriated to
140 the service compensation board for the purpose of
141 carrying out the provisions of this Act.

142 All federal grants to and the federal receipts of
143 the service compensation board are appropriated for
144 the purpose set forth in the federal grants or
145 receipts."

146 2. Page 1, amend the title by striking everything
147 after the word "relating" on line 1 and inserting in
148 lieu thereof the following:

149 "to a service compensation board, its duties,
150 imposing a tax, and making an appropriation."

BRAY of Scott
UBAN of Black Hawk
KENNEDY of Chickasaw
SKINNER of Polk
SMALL of Johnson
GLUBA of Scott
JESSE of Polk
MONROE of Des Moines
WILLITS of Polk
BLOUIN of Dubuque
JOHNSTON of Johnson

On motion by Varley of Adair, the House adjourned until 9:00
a.m., Wednesday, March 15, 1972.

JOURNAL OF THE HOUSE

Sixty-sixth Calendar Day—Forty-eighth Session Day

HALL OF THE HOUSE OF REPRESENTATIVES
DES MOINES, IOWA, WEDNESDAY, MARCH 15, 1972

The House met pursuant to adjournment, Speaker Harbor in the chair.

Prayer was offered by the Reverend Rudolph Trusheim, pastor of the Staves United Methodist Church, Des Moines, Iowa.

The Journal of Tuesday, March 14, 1972, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. H. R. Light, Grinnell, Iowa.

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Forty-two ninth grade students from Mason City Junior High School, Mason City, Iowa, accompanied by Don Brown and Richard Attleson. By Lawson of Cerro Gordo, Logemann of Worth and Scott of Cerro Gordo.

Forty-five students from Schleswig Community School, Schleswig, Iowa, accompanied by Mr. and Mrs. Duane Goode. Mr. Goode is the nephew of the Honorable Dewey E. Goode.

Fifty-six senior students from Lynnville-Sully Community School, Sully, Iowa, accompanied by Mrs. McKay. By Strand of Poweshiek.

Ninety-four sixth grade students from Corning School, Corning, Iowa, accompanied by Marvin Steffen. By Varley of Adair.

Eighty senior students from Belle Plaine High School, Belle Plaine, Iowa, accompanied by Roland Hanson and Ken Roberson. By Wyckoff of Benton.

Sixty students from Pekin-Middle School, Ollie, Iowa, accompanied by Harlan Van Voorst and Robert Snow. By Dunton of Keokuk.

Thirty fifth and sixth grade students from Tracy School, Tracy, Iowa, accompanied by Mrs. Mott. By Pierson of Mahaska.

Thirty students from Central Webster School, Burnside, Iowa, accompanied by Jim Ainslie. By Cochran of Webster.

Forty senior government class students from East Greene School, Grand Junction, Iowa, accompanied by Larry Fanabaker. By Fisher of Greene.

Eighty-five senior students from Ballard School, Huxley, Iowa, accompanied by Pat Cole and Phil Hintz. By Larson of Story.

Thirty senior government class students from Irvin, Iowa, accompanied by James Deacon. By Nielsen of Shelby.

Thirty eighth grade students from St. John's School, Arcadia and Vail, Iowa, accompanied by Sister Mary Lee and Miss Weitze. By Knoblauch of Carroll.

Fifty students from St. John's School, Waterloo, Iowa, accompanied by Sister Mary Martenson. By Ewell of Black Hawk.

Eight students from Harding Junior High School, Cedar Rapids, Iowa, accompanied by Lowell Sisson. By Stanley of Linn.

PETITIONS FILED

The following petitions were received and placed on file:

By Christensen of Union from forty-four residents of Madison County opposing Senate File 356, relating to permits to carry concealed weapons.

By Knoblauch of Carroll from nineteen City of Carroll and forty-nine Carroll County public officials and employees favoring passage of House File 95, relating to IPERS benefits.

MOTION TO RECONSIDER

(House File 1156)

I move to reconsider the vote by which the House refused to concur in amendments 9 and 10 of the Senate amendment to House File 1156 on March 14, 1972.

KENNEDY of Chickasaw

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File 1045, a bill for an act relating to changing the local budget certification date of school districts.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File 1075, a bill for an act legalizing the proceedings of the town council of the town of Stuart.

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

House File 1265, a bill for an act relating to the 1972 primary election.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File 1269, a bill for an act amending the state school foundation program in chapter one hundred sixty-five (165), Acts of the Sixty-fourth General Assembly.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File 1292, a bill for an act increasing the allocation for construction of state institutional roads.

Also: That the Senate has concurred in House amendment to and passed the following bill in which the concurrence of the Senate was asked:

Senate File 470, a bill for an act relating to deferred compensation for governmental employees.

Also: That the President of the Senate has appointed as members of the conference committee on Senate File 1091, a bill for an act appropriating to the department of public instruction, on the part of the Senate: the Senator from Black Hawk, Mrs. Conklin, chairman; the Senator from Mills, Mr. Bass; the Senator from Dubuque, Mr. Kennedy; and the Senator from Story, Mr. Van Drie.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File 1170, a bill for an act relating to the department of agriculture and inspection services.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File 1204, a bill for an act appropriating to the Iowa law enforcement of public defense for the construction of a building.

CARROLL A. LANE, Secretary

SENATE AMENDMENT TO HOUSE FILE 1265

- 1 Amend House File 1265, as amended and passed by the House as
- 2 follows:
- 3 1. Page 5, line 26, by striking the words "prior to".
- 4 2. Page 5, line 27, by striking the words "May 31, 1972, or".
- 5 3. Page 5, line 32, by striking the words "prior to April 30,
- 6 1972, or".
- 7 4. Page 7, line 20, by inserting after the word "Code." the
- 8 following:

9 "However, the term of office of party committeemen elected
10 prior to August 1, 1972, shall be for a full term if the
11 boundaries of the precinct from which they were elected are
12 not changed by August 1, 1972."

13 5. Page 8, by inserting after line 13, the following new
14 sections:

15 "Sec. For the year 1972 only, nomination papers
16 in the form prescribed by section forty-three point fourteen
17 (43.14) of the Code shall be legal and valid notwithstanding
18 the fact that they refer to the primary election to be held
19 in June, 1972, or the reference to June, 1972, is struck
20 through or is changed.

21 Sec. For the year 1972 only, nomination papers
22 otherwise meeting the requirements of sections forty-three
23 point fifteen (43.15) and forty-three point seventeen (43.17)
24 of the Code shall be legal and valid, notwithstanding the
25 fact that they were signed before the supreme court established
26 new election districts so long as the place shown as the
27 residence of the persons signing the nomination papers is
28 in the new district established by the supreme court, and
29 notwithstanding the fact that the election district may be
30 described on the nomination paper by a number different from
31 that assigned to the new district created by the supreme
32 court.

33 Sec. Affidavits of candidacy otherwise meeting the
34 requirements of section forty-three point eighteen (43.18)
35 of the Code shall be legal and valid notwithstanding the fact
36 that a candidate filing the same describes the legislative
37 district from which he is seeking office by a number other
38 than that assigned to the new district by the supreme court."

39 6. Renumber sections and correct internal references as
40 are necessary in accordance with this amendment.

HOUSE CONCURRENT RESOLUTION 134

By Kinley

Whereas, Alaska and Hawaii have held statewide conferences on the future of their states in the twenty-first century; and

Whereas, these conferences were very successful because of widespread citizen participation and the cultivation of many ideas to determine the future of their states; and

Whereas, the results of such a conference in Iowa could result in permanent improvements in the economic and social development of the state; and

Whereas, such a conference can achieve a plan for development of this state for the future, *Now, Therefore*,

Be It Resolved by the House of Representatives, the Senate Concurring, That the General Assembly urges and supports the calling of a Conference on Iowa's Development in the Twenty-first Century by the governor; and

Be It Further Resolved, That the Conference membership be composed of citizens from all walks of life including, but not limited to, leaders of unions and industry, farmers, elected officials, teachers, and doctors; and

Be It Further Resolved, That the Conference develop and propose statements of policy on individual rights, economic and social development,

education, the environment, recreation, transportation, communications, and such other areas of interest as determined by the Conference membership.

Laid over under Rule 25.

HOUSE CONCURRENT RESOLUTION 135

By Cochran

Whereas, it is in the interests of the people of Iowa that they enjoy in the future the balanced and buoyant growth and high quality of life that they have enjoyed in the past; and

Whereas, Iowans are now, and in the future will be, confronted with a large number of new and increasingly more complex situations, and an accelerating rate of change; and

Whereas, these new situations and this rate of change will make it increasingly difficult for Iowans to make decisions about the ways in which to continue their traditions and quality of life; and

Whereas, decisions about areas such as transportation, agriculture, education, energy supply, balance between urban and rural communities, health, use of leisure and cultural opportunity will require comprehensive citizen and expert planning; and

Whereas, Iowa has already made a beginning in such planning through the formation of the Iowa Development Commission and the Governor's Rural Policy Conference; *Now, Therefore*,

Be It Resolved by the Senate, the House Concurring, That the Governor of Iowa proceed immediately to determine a proper time and place for a statewide comprehensive conference on Iowa's future to be called the Conference on Iowa in the Twenty-first Century, and that he arrange a sequence of local and preparatory meetings; and

Be It Further Resolved, That in this effort, the Governor invite and seek the cooperation and assistance of both citizen and public bodies, including the Iowa Board of Regents, private colleges, expert consultative groups, and local professional and community associations.

Laid over under Rule 25.

HOUSE CONCURRENT RESOLUTION 136

By Gluba, Camp, Dougherty, and Stanley

Whereas, the Bureau of the Census of the United States Department of Commerce estimates that the elderly in Iowa (persons over sixty-five years of age) comprise 12.4 percent of the total population of Iowa, or approximately 350,300 persons; and

Whereas, this compares to a national percentage of elderly of 9.6 percent, making Iowa's percentage of elderly the second highest in the nation; and

Whereas, disproportional numbers of elderly in Iowa reside in rural areas as a result of urban trends; and

Whereas, rural sections of the State of Iowa having a high percentage of elderly also have a shortage of medical personnel and health care facilities available to serve the elderly; and

Whereas, twenty-five percent of all Iowans over sixty-five years of age are classified as poor; and

Whereas, sixty-four percent of Iowa farmers between the ages of sixty-five through sixty-nine earn less than four thousand dollars annually and their income continues to decrease with age; and

Whereas, many of the elderly in Iowa are the victims of inflation as a result of an inadequate fixed income; and

Whereas, as a result of a combination of a fixed income and high property taxes, many elderly are forced to give up family residences or no longer maintain their physical property, and others are forced into institutional settings; and

Whereas, many of these institutional facilities for the aging in Iowa are overcrowded and others have long waiting lists; and

Whereas, as a result of this overcrowding, the emotional, spiritual, therapeutic, and rehabilitative needs of many elderly have been neglected; and

Whereas, health care costs are prohibitive for the majority of the elderly on fixed incomes; and

Whereas, long-range projections show that the numbers of elderly in the State of Iowa will continue to increase; and

Whereas, the State of Iowa acknowledges its responsibility to care for its elderly in keeping with the dictates of social justice, *Now, Therefore*,

Be It Resolved by the House of Representatives, the Senate Concurring, That the legislative council is authorized to create a study committee, as provided by law, which committee shall include members of the General Assembly and nonlegislative members knowledgeable of the problems of the elderly in Iowa, to look into the quality of life of Iowa's elderly citizens and to develop, in cooperation with existing governmental agencies, new and more realistic approaches to coping with the problems besetting the elderly in Iowa; and

Be It Further Resolved, That the study committee look into such matters as developing ways to encourage and make it possible for Iowa's elderly citizens to maintain themselves in their own homes or living quarters, with a minimum of community services, so long as they desire or until such time as it becomes physically or mentally impossible for them to do so; and

Be It Further Resolved, That the study consider the possible need of developing a master plan for the creation and encouragement of more housing and health care facilities for the elderly, including but not limited to, retirement homes, custodial homes, nursing homes, and extended health care facilities and supportive community services; and

Be It Further Resolved, That a report of the study shall be prepared and submitted to the legislative council and the members of the Sixty-fifth General Assembly, First Session, and shall be accompanied by legislative bill drafts to carry out the recommendations of the committee.

Laid over under Rule 25.

SENATE MESSAGES CONSIDERED

Senate File 1102, a bill for an act relating to the service tax on storage of goods.

Read first time and referred to the sifting committee.

Senate File 1192, a bill for an act relating to the control of dangerous substances and the board of pharmacy.

Read first time and referred to the sifting committee.

Senate File 1214, a bill for an act relating to reimbursement to local school districts, county school systems, joint county systems, or equivalent intermediate units for auxiliary services to nonpublic school students and to make an appropriation therefor.

Read first time and referred to committee on appropriations.

**REPORT OF SECOND CONFERENCE COMMITTEE
ON SENATE FILE 85**

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the second conference committee appointed to consider the difference between the Senate and the House of Representatives on Senate File 85, a bill for an act creating a department of environmental quality, specifying its powers, duties and functions, and providing penalties for violations thereof, respectfully submit the following report:

1. The House and Senate conferees failed to reach an agreement.

<p>GEORGE L. SHAWVER, Chairman W. R. RABEDEAUX JAMES F. SCHABEN JOHN M. WALSH</p>	<p>MURRAY C. LAWSON, Chairman HERBERT L. CAMPBELL JEWELL O. WAUGH</p>
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**THIRD CONFERENCE COMMITTEE APPOINTED
(Senate File 85)**

The Speaker announced the appointment of the third conference committee to consider the differences between the House and Senate concerning **Senate File 85: Drake of Muscatine, chairman, Ellsworth of Dubuque, Roorda of Jasper and Bennett of Polk.**

**CONFERENCE COMMITTEE REPORT
ON HOUSE FILE 734**

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to consider the differences between the Senate and the House of Representatives on House File 734, a bill for an act relating to the state's compliance with the federal highway beautification act regarding junkyards and billboard standards, and providing penalties, respectfully submit the following recommendations:

1. That the Senate amendment be amended by strik-

ing all of lines 252 through 263 of the printed amendment and inserting in lieu thereof the following:

4. Official directional or other traffic control devices or signs. Advertising devices and notices which shall include, but not be limited to, advertising devices and notices pertaining to natural wonders, scenic and historic attractions, recreational attractions and municipal recognition signs, which shall conform with rules and regulations promulgated by the commission, provided that such rules shall be consistent with national standards promulgated from time to time by the appropriate authority of the federal government, pursuant to Title twenty-three (23), section one hundred thirty-one (131), paragraph c of the United States Code.

2. That the Senate amendment be amended by striking from line 243 the following: "Neither" and inserting in lieu thereof the following: ", nor".

3. Amend page 4, line 13, of the House amendment to the Senate amendment by inserting after the word "and" the words "three dollars".

4. Amend page 2, line 25, of the House amendment to the Senate amendment by inserting after the word "Act" the following: "and municipal recognition signs erected by any city or town."

5. That the Senate and House concur in the House and Senate amendments as amended.

On the part of the Senate:

JOHN M. WALSH, Chairman
WAYNE D. KEITH
CHARLES P. MILLER

On the part of the House:

RICHARD W. WELDEN, Chairman
BARTON L. SCHWIEGER
EDGAR H. HOLDEN
VERNON A. EWELL

CONFERENCE COMMITTEE REPORT ON SENATE FILE 1091

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to consider the difference between the Senate and the House of Representatives on Senate File 1091, a bill for an act making an appropriation to the department of public instruction for the purpose of participating in certain federal programs, respectfully submit the following recommendations:

1. That the House of Representatives recede from its amendment.

2. That Senate File 1091, page 2, be amended by striking lines 15 through 25, inclusive, and inserting in lieu thereof the following:

"Sec. 4. Section two hundred eighty-three A point two (283A.2), Code 1971, is amended to read as follows:

283A.2 SCHOOL BOARDS. School boards shall have power to operate or provide for the operation of school lunch programs in schools under their jurisdiction, and may use therefor funds disbursed to them under the provisions of this

chapter, gifts, funds received from sale of school lunches under such programs, and any other funds legally available.

Beginning with the school year 1973-74, and continuing each school year thereafter, all school districts shall operate or provide for the operation of school lunch programs at all public schools in each district, which programs shall be operated in compliance with the rules of the department of public instruction and pertinent federal rules, for all students in each district who attend public school four or more hours each school day and wish to participate in a school lunch program, and school districts may provide such programs for other students."

On the part of the Senate:

W. CHARLENE CONKLIN, Chairman
EARL G. BASS
GENE V. KENNEDY
RUDY VAN DRIE

On the part of the House:

ROBERT M. KREAMER, Chairman
KEITH H. DUNTON
LILLIAN MCELROY
RAYMOND J. TAYLOR

UNFINISHED BUSINESS

The House resumed consideration of **House File 1291**, a bill for an act relating to the establishment of an office of citizens' aide, his duties and providing penalties and making an appropriation, and amendment 3 of the Welden amendment as follows:

Amend House File 1291 as follows:

1. Page 2, by striking all of lines 19 and 20 and inserting in lieu thereof the following:
"Sec. 2. A citizens aide shall be appointed by the".
2. By renumbering the following sections.
3. Page 2, by adding after line 30 the following new paragraph:
"The citizens aide shall employ and supervise all employees under his direction in such positions and at such salaries as shall be authorized by the legislative council.
4. Page 7, by striking all of line 32 after the second period and all of lines 33 and 34.
5. Page 7, by striking all of line 35.
6. Page 8, by striking all of lines 1 through 8.

Welden of Hardin moved the adoption of amendment 3, lines 7 through 12, of his amendment.

Amendment 3 of the amendment was adopted.

Shaw of Scott offered the following amendment filed by her and Grassley of Butler and moved its adoption:

Amend House File 1291, page 4, by striking all of lines 1 through 5 and inserting in lieu thereof the following: "any administrative action

which affects the general public or any member thereof, without regard to the finality of the administrative action. He shall not investigate the complaint of an employee of an agency in regard to that employee's employment relationship with the agency or concern himself with any matter involving the internal management of an agency which does not relate to the rights and procedures available to the public."

A non-record roll call was requested.

The ayes were 30, nays 50.

The amendment lost.

Small of Johnson offered the following amendment filed by Small, et al.:

Amend House File 1291, page 7, by inserting after line 16 the following:

"Any conclusions, recommendations, and suggestions so published shall at the same time be made available to the news media."

Lipsky of Linn offered from the floor the following amendment to the amendment and moved its adoption:

Amend the Small, Hansen, et al., amendment to House File 1291, filed March 8, 1972, by striking from line 4 the word "shall" and inserting in lieu thereof the word "may".

The amendment to the amendment was adopted.

Winkelman of Calhoun offered from the floor the following amendment to the amendment and moved its adoption:

Amend the Small, Hansen, et al., amendment to House File 1291, filed March 8, 1972, line 5, by inserting after the word "media" the following: "or others who may be concerned".

The amendment to the amendment was adopted.

Small of Johnson moved the adoption of his amendment as amended.

The amendment as amended was adopted.

Skinner of Polk offered from the floor the following amendment filed by him and moved its adoption:

Amend House File 1291 as follows:

1. Page 2, line 21, by striking the words "legislative council" and inserting in lieu thereof the words "Iowa League of Women Voters".

2. Page 2, line 24, by striking the words "legislative council" and inserting in lieu thereof the words "Iowa League of Women Voters".

3. Page 3, line 2, by striking the words "legislative council" and inserting in lieu thereof the words "Iowa League of Women Voters".

The Speaker ruled the amendment out of order.

Jesse of Polk offered the following amendment filed by him and moved its adoption:

Amend House File 1291, page 8, line 4, by inserting after the word "Act" the following:

"unless the act or omission is actuated by malice or is grossly negligent."

The amendment was adopted.

Kehe of Bremer offered the following amendment filed by Fischer, et al.:

Amend House File 1291, page 8, by inserting the following after the period in line 30: "The salary of the citizens' aide shall be set by the legislative council and shall not exceed eighty percent of the salary appropriated for the attorney general."

Lipsky of Linn offered from the floor the following amendment to the amendment:

Amend the Fischer, Kehe, et al., amendment to House File 1291, filed March 9, 1972, by striking all after the word "council" in line 4 and all of lines 5 and 6.

Varley of Adair in the chair at 10:55 a.m.

Lipsky of Linn moved the adoption of her amendment to the amendment.

A non-record roll call was requested.

The ayes were 39, nays 45.

The amendment to the amendment lost.

Fischer of Grundy moved the adoption of the Fischer, et al., amendment.

A non-record roll call was requested.

The ayes were 40, nays 46.

The amendment lost.

Skinner of Polk asked and received unanimous consent to withdraw the amendment filed by him on March 14, 1972, and found on page 1118 of the House Journal.

(House File 1291 pending at recess.)

The House was recessed until 2:00 p.m.

AFTERNOON SESSION

The House reconvened, Speaker pro tempore Millen in the chair.

The House resumed consideration of House File 1291.

Speaker Harbor in the chair at 2:55 p.m.

Lipsky of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1291)

The ayes were, 70:

Alt	Gluba	McCormick	Scott
Andersen	Grassley	McElroy	Siglin
Blouin	Hamilton	Mendenhall	Small
Bray	Hansen	Menefee	Sorg
Camp	Hill	Middleswart	Stanley
Christensen	Jesse	Millen	Strand
Clark	Johnston	Moffitt	Stromer
Cochran	Kelly	Mollett	Tieden
Curtis	Kinley	Monroe	Trowbridge
Den Herder	Knoblauch	Norpel	Varley
Dougherty	Knoke	Patton	Waugh
Drake	Kreamer	Pelton	Wells
Dunton	Kruse	Priebe	Willits
Egenes	Larson	Radl	Winkelman
Ellsworth	Lawson	Schmeiser	Wirtz
Ewell	Lipsky	Schroeder	Wyckoff
Franklin	Logemann	Schwartz	Mr. Speaker
Freeman	Mayberry		

The nays were, 28:

Anania	Fisher, C. R.	Nystrom	Schwieger
Bennett	Holden	Pellett	Shaw
Bergman	Husak	Pierson	Skinner
Campbell	Kehe	Rex	Stokes
Doyle	Kennedy	Rodgers	Strothman
Edelen	Miller	Roorda	Taylor
Fischer, H. O.	Nielsen	Sargisson	Weiden

Absent or not voting, 2:

Goode Uban

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

SENATE AMENDMENT CONSIDERED

Camp of Clinton called up for consideration **House File 6**, a bill for an act to establish a state building code, provide for its administration, and provide a penalty for violation of the Code or orders issued thereunder, amended by the Senate, and moved that the House concur in the following Senate amendment:

Amend House File 6, as amended and passed by the House, as follows:

1. Page 2, by inserting after line 2 the following new section:

"Sec. STATEMENT OF POLICY. It is found and declared that some governmental subdivisions do not have building codes and that the building codes which do exist in the governmental subdivisions of this state, as enacted and applied, are not uniform and impede the utilization of new and improved technology, techniques, methods, and materials in the manufacture and construction of buildings and structures.

Therefore, it is the policy of the state of Iowa to insure the health, safety, and welfare of its citizens through the promulgation and enforcement of a state building code."

2. Page 3, line 4, by striking the period and inserting in lieu thereof the following: "except transmission and distribution structures of public utilities."

3. Page 3, by inserting after line 31 the following:

"18. 'Performance objective' establishes design and engineering criteria without reference to specific methods of construction."

4. Page 4, by striking lines 21 through 24 and inserting in lieu thereof the following new section:

"Sec. STATE BUILDING CODE. The state building code commissioner with the approval of the advisory council is hereby empowered and directed to formulate and adopt and from time to time amend or revise and to promulgate, in conformity with and subject to the conditions set forth in this Act, reasonable rules designed to establish minimum safeguards in the erection and construction of buildings and structures, to protect the human beings who live and work in them from fire and other hazards, and to establish regulations to further protect the health, safety and welfare of the public.

The rules shall include reasonable provisions for the following:"

5. Page 5, by striking lines 2 through 7 and inserting in lieu thereof the following:

"1. Provide uniform standards and requirements for construction, construction materials, and equipment through the adoption by reference of applicable national codes where appropriate and providing exceptions when necessary. The rules adopted shall include provisions imposing require-

ments reasonably consistent with or identical to recognized and accepted standards contained in performance criteria as developed by nationally recognized model codes such as the model codes prepared by the Building Officials Conference of America, the International Conference of Building Officials, the Southern Building Code Congress, the National Fire Protection Association, the American National Standards Institute, the American Insurance Association, the United States Department of Housing and Urban Development, the American Standards Association, and the International Association of Plumbing and Mechanical Officials."

6. Page 6, line 2, by inserting before the period the following: "in the governmental subdivisions which have adopted the state building code or any other building code".

7. Page 6, lines 7 and 8, by striking the words ", provide for inspection fees,".

8. Page 6, line 18, by inserting before the period the following: "only in those governmental subdivisions which have adopted the state building code or any other building code".

9. Page 6, by striking lines 19 through 23.

10. Page 7, line 34, by inserting after the word "resolution" the words "or ordinance".

11. Page 7, line 35, by inserting after the word "resolution" the words "or ordinance".

12. Page 8, line 4, by inserting after the word "resolution" the words "or ordinance".

13. Page 8, line 5, by inserting after the word "resolution" the words "or ordinance".

14. Page 8, line 7, by inserting after the word "resolution" the words "or ordinance".

15. Page 8, line 9, by inserting after the word "resolution" the words "or ordinance".

16. Page 8, line 16, by inserting after the word "resolution" the words "or ordinance".

17. Page 8, line 19, by inserting after the word "resolution" the words "or ordinance".

18. Page 8, by striking lines 28 through 35.

19. Page 9, by striking lines 1 through 8 and inserting in lieu thereof the following:

"Sec. 12. ALTERNATE MATERIALS AND METHODS OF CONSTRUCTION. The provisions of the state building code shall not prevent the use of any material or method of construction not specifically prescribed therein, provided any such alternate has been approved by the building code commissioner.

The commissioner may approve any alternate if he finds that the proper design is satisfactory and that the material, method, or work offered is, for the purpose intended, at least the equivalent of that prescribed

in the state building code in quality, strength, effectiveness, fire resistance, durability, and safety.

The commissioner shall require that sufficient evidence or proof be submitted to substantiate any claim that may be made regarding alternate use."

20. Page 9, line 19, by striking the word "At".

21. Page 9, by striking lines 20 through 23.

22. Page 9, line 24, by striking the words "in the state".

23. Page 9, line 35, by striking the words "the variances referred to" and inserting in lieu thereof the following: "any alternate materials or methods of construction approved by the commissioner as provided".

24. Page 10, by striking lines 11 and 12 and inserting in lieu thereof the following:

6. Four members of the council shall constitute a quorum. For the purpose of conducting business a majority vote of the council shall be required."

25. Page 10, line 17, by striking everything after the period.

26. Page 10, by striking line 18.

27. Page 10, line 27, by striking the number "1".

28. Page 10, by striking lines 28 through 32.

29. Page 10, line 33, by striking the letter "b" and inserting in lieu thereof the numeral "1".

30. Page 11, line 4, by striking the letter "c" and inserting in lieu thereof the number "2".

31. Page 11, line 6, by striking the number "(1)" and inserting in lieu thereof the letter "a".

32. Page 11, line 8, by striking the number "(2)" and inserting in lieu thereof the letter "b".

33. Page 11, by striking lines 10 through 15.

34. Page 12, lines 27 and 28, by striking the words "a variance" and inserting in lieu thereof the following: "the use of alternate materials or methods of construction".

35. Page 14, lines 16 and 17, by striking the words "of variance or modification".

36. Page 15, line 19, by striking the word "license,".

37. Page 15, line 32, by striking the word "license,".

38. Page 16, line 1, by striking the word "license,".

39. Page 19, by adding the following new section after line 25:

"Sec. FEES. For the purpose of obtaining revenue to defray the costs of administering the provisions of this Act, the commissioner shall establish by rule and regulation a schedule of fees based upon the costs of administration which fees shall be collected

from persons whose manufacture, installation or construction is subject to the provisions of the state building code.

All fees collected by the commissioner shall be deposited in the state treasury to the credit of the general fund.

All federal grants to and federal receipts of the office of state building code commissioner are appropriated for the purpose set forth in the federal grants or receipts."

40. Page 1, amend the title, line 2, by inserting before the word "and" the words "provide for the setting of fees,"; and line 3, by striking the word "Code" and inserting in lieu thereof the word "code".

Schroeder of Pottawattamie offered the following amendment filed by him:

Amend the Senate amendment to House File 6 filed February 28, 1972, as follows:

1. By inserting the following after the period in line 35:

"Amendments or revisions of the code shall be made only once a year and shall take effect on the first day of January following the public hearing. Whenever the commissioner makes copies of the code or rules available or is required to distribute copies he shall provide the copies at cost."

2. By inserting the following after line 55:

6. Page 5, line 28, by inserting after the word "state" the words "or in a governmental subdivision not subject to the code".

7. Page 5, line 32, by inserting after the word "code" the words "if the installation is to be in a governmental subdivision subject to the code".

8. Page 5, line 35, by inserting after the word "installation" the words "in a governmental subdivision subject to the code".

3. By striking lines 56 through 59 and inserting the following:

10. Page 6, line 2, by inserting after the word "code" the words "in governmental subdivision subject to the code".

11. Page 6, line 6, by inserting after the word "commissioner" the words "or the installation is in a governmental subdivision not subject to the code".

4. By inserting the following after line 66:

15. Page 6, by striking lines 31 through 35, inclusive.

16. Page 7, by striking lines 1 through 3, inclusive, and inserting in lieu thereof the following:

b. Statewide and shall supersede and take the place of the building code of any governmental

subdivision. The code shall supersede the code of any governmental subdivision which has adopted a building code as of the effective date of the state building code and any governmental subdivision which chooses to adopt a building code after the effective date of the state building code must adopt the state building code. The state building code shall not apply to any governmental subdivision which has no building code or has, prior to the effective date of the state building code, repealed its building code. Where the state building code becomes effective in a governmental subdivision under this section it shall be considered to have been adopted by the governmental subdivision and shall not be repealed."

5. By striking lines 67 through 70, inclusive, and inserting in lieu thereof the following:

17. Page 7, by striking lines 31 through 35, inclusive.

18. Page 8, by striking lines 1 through 27, inclusive.

6. By inserting the words "and advisory council" before the period in line 91.

7. By inserting the words "with the approval of the advisory council" after the word "commissioner" in line 92.

8. By inserting the following after line 137:

39. Page 16, by striking lines 29 through 35, inclusive.

40. Page 17, by striking line 1 and renumbering the remaining subsections.

9. By inserting the following after line 137:

46. Page 17, lines 15 and 16, by striking everything after the words "adopted" and inserting in lieu thereof a period.

47. Page 17, lines 21 and 22, by striking everything after the word "adopted" and inserting in lieu thereof a period.

48. Page 17, lines 27 and 28, by striking everything after the word "adopted" and inserting in lieu thereof a period.

49. Page 17, lines 33 and 34, by striking everything after the word "adopted" and inserting in lieu thereof a period.

50. Page 18, lines 4 and 5, by striking everything after the word "adopted" and inserting in lieu thereof a period.

51. Page 18, lines 10 and 11, by striking everything after the word "adopted" and inserting in lieu thereof a period.

52. Page 18, lines 16 and 17, by striking everything after the word "adopted" and inserting in lieu

thereof a period.

53. Page 19, lines 12 and 13, by striking everything after the word "adopted" and inserting in lieu thereof a period.

54. Page 19, lines 18 and 19, by striking everything after the word "adopted" and inserting in lieu thereof a period.

55. Page 19, lines 24 and 25, by striking everything after the word "adopted" and inserting in lieu thereof a period.

10. By renumbering the amendments to conform to this amendment.

Division of the amendment was requested.

Schroeder of Pottawattamie moved the adoption of amendment 1, lines 3 through 10 of his amendment to the Senate amendment.

A non-record roll call was requested.

The ayes were 29, nays 48.

Amendment 1 of the amendment lost.

Speaker pro tempore Millen in the chair at 3:45 p.m.

Schroeder of Pottawattamie moved the adoption of amendments 2 and 3, lines 11 through 28 of his amendment to the Senate amendment.

A non-record roll call was requested.

The ayes were 22, nays 53.

Amendments 2 and 3 of the amendment lost.

Schroeder of Pottawattamie moved the adoption of amendment 4, lines 29 through 49 of his amendment to the Senate amendment.

A non-record roll call was requested.

The ayes were 32, nays 38.

Amendment 4 of the amendment lost.

Schroeder of Pottawattamie asked and received unanimous consent to withdraw amendment 5, lines 50 through 55 of his amendment to the Senate amendment.

Schroeder of Pottawattamie moved the adoption of amendments 6 and 7, lines 56 through 60 of the amendment to the Senate amendment.

A non-record roll call was requested.

The ayes were 25, nays 35.

Amendments 6 and 7, lines 56 through 60, lost.

Schroeder of Pottawattamie asked and received unanimous consent to withdraw lines 1 and 2, and amendments 8, 9 and 10, lines 61 through 98 of the amendment to the Senate amendment.

Camp of Clinton offered the following amendment to the Senate amendment filed by him and moved its adoption:

Amend the Senate amendment to House File 6 as found on pages 817 through 820 of the House Journal of February 28, 1972 as follows:

1. By inserting the following after line 100:
"20. Page 9, line 13, by striking the numerals '1971' and inserting in lieu thereof the numerals '1972'."
2. By renumbering the amendments to conform to this amendment.

The amendment to the Senate amendment was adopted.

Speaker Harbor in the chair at 4:12 p.m.

Gluba of Scott offered the following amendment filed by him and Scott of Cerro Gordo:

Amend the Senate amendment to House File 6 by striking all of lines 154 through 157 and inserting in lieu thereof the following:

40. Page 18, after line 5, insert the following new section:

"Sec. Section one hundred thirty-eight point one (138.1), subsections one (1) and sixteen (16), Code 1971, are amended to read as follows:

1. 'Migrant labor camp' means one or more buildings, structures, shelters, tents, trailers, or vehicles or any other structure or a combination thereof together with the land appertaining thereto, established, operated, or maintained as living quarters for [seven or more] migrants or two or more shelters. A camp shall include such land or quarters separate from one another if the migrants housed therein work at any time for the same person [and the total number of migrants in all such camps is seven or more]. Such separate camps shall constitute a portion of a migrant labor camp.

16. 'Migrant' means any individual who customarily and repeatedly travels from state to state for the purpose of obtaining seasonal employment in agriculture or processing of farm products, including but

not limited to, poultry, dairy, livestock, fruit, vegetable, and grain products, including the spouse and children of such individuals, whether or not authorized by law to engage in such employment."

41. Renumber sections and correct internal references to correspond with this amendment.

42. Page 1, amend the title, line 2, by inserting before the word "and" the following: "provide for the setting of fees, provide for the regulation of buildings to house migrants,"; and line 3 by striking the word "Code" and inserting in lieu thereof the word "code".

Alt of Polk rose on a point of order that the amendment was not germane.

The Speaker ruled the point well taken.

Gluba of Scott moved to appeal the ruling of the Chair.

On the question "Shall the decision of the Speaker stand as the judgment of the House?"

The vote disclosed, ayes 57, nays 16.

The motion prevailed and the ruling of the Chair was sustained.

Skinner of Polk rose on a point of order and moved to suspend Rule 6 of the House as pertaining to section 402 of Mason's Manual of Legislative Procedure only for the express purpose of reconsidering the Gluba-Scott amendment.

Roll call was requested by Skinner of Polk and Gluba of Scott.

On the question "Shall the motion prevail?"

The ayes were, 32:

Anania	Husak	McCormick	Schwartz
Bennett	Jesse	Monroe	Scott
Blouin	Johnston	Norpel	Skinner
Bray	Kennedy	Patton	Small
Cochran	Kinley	Priebe	Uban
Dougherty	Larson	Radl	Wells
Doyle	Lipsky	Sargisson	Willits
Gluba	Mayberry	Schmeiser	Wyckoff

The nays were, 56:

Alt	Egenes	Knoke	Nielsen
Andersen	Ellsworth	Kreamer	Nystrom
Bergman	Fischer, H. O.	Kruse	Pellett
Camp	Fisher, C. R.	Lawson	Pierson
Campbell	Freeman	Logemann	Rex
Christensen	Grassley	McElroy	Roorda
Clark	Hansen	Mendenhall	Schroeder
Curtis	Hill	Menefee	Schwieger
Den Herder	Holden	Millen	Siglin
Drake	Kehe	Moffitt	Sorg
Edelen	Kelly	Mollett	Stanley

Stokes	Strothman	Trowbridge	Winkelman
Strand	Taylor	Varley	Wirtz
Stromer	Tieden	Waugh	Mr. Speaker

Absent or not voting, 12:

Dunton	Goode	Middleswart	Rodgers
Ewell	Hamilton	Miller	Shaw
Franklin	Knoblauch	Pelton	Welden

The motion having failed to receive a three-fifths majority lost.

Speaker pro tempore Millen in the chair at 5:00 p.m.

Schroeder of Pottawattamie moved to reconsider the vote by which amendment 4, lines 29 through 49 of his amendment failed to be adopted on March 15, 1972.

A non-record roll call was requested.

The ayes were 39, nays 42.

The motion lost.

Camp of Clinton moved that the House concur in the Senate amendment as amended.

The ayes were 60, nays 21.

The motion prevailed and the House concurred in the Senate amendment as amended.

Camp of Clinton moved that the bill, as amended by the Senate, further amended by the House and concurred in by the House, be read a last time now and placed upon its repassage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 6)

The ayes were, 71:

Alt	Hansen	Menefee	Siglin
Andersen	Harbor	Moffitt	Small
Bray	Hill	Mollett	Sorg
Camp	Holden	Monroe	Stanley
Campbell	Jesse	Nielsen	Strand
Clark	Johnston	Norpel	Strothman
Curtis	Kelly	Nystrom	Taylor
Den Herder	Kennedy	Patton	Trowbridge
Dougherty	Knoblauch	Pellett	Uban
Drake	Kreamer	Pelton	Varley
Dunton	Kruse	Pierson	Waugh
Edelen	Larson	Priebe	Wells
Egenes	Lawson	Rex	Willits
Ellsworth	Lipsky	Roorda	Winkelman
Fisher, C. R.	Mayberry	Schmeiser	Wirtz
Freeman	McCormick	Schwartz	Wyckoff
Gluba	McElroy	Schwieger	Mr. Speaker
Grassley	Mendenhall	Scott	(Millen)

The nays were, 20:

Anania	Cochran	Kinley	Sargisson
Bennett	Doyle	Logemann	Schroeder
Bergman	Fischer, H. O.	Middleswart	Skinner
Blouin	Husak	Radl	Tieden
Christensen	Kehe	Rodgers	Welden

Absent or not voting, 9:

Ewell	Hamilton	Miller	Stokes
Franklin	Knoke	Shaw	Stromer
Goode			

The bill having received a constitutional majority was declared to have repassed the House and the title as amended was agreed to.

EXPLANATION OF MOTION TO SUSPEND THE RULES

The motion to suspend the rules was offered to permit the consideration of the Gluba of Scott amendment. That amendment would have provided for the proper inspection of all migrant worker camps and housing facilities including those camps owned by corporations which employ migrant workers in the processing of farm products, such as poultry, dairy, live-stock, fruit, vegetable and grain products. There is ample evidence that there is a great need in Iowa to improve the housing conditions of migrant workers and to properly inspect existing housing facilities. This amendment would have brought about this needed building inspection.

GLUBA of Scott
SKINNER of Polk

APPROPRIATIONS CALENDAR

SENATE FILE 1213 SUBSTITUTED FOR HOUSE FILE 1296

Camp of Clinton asked and received unanimous consent to substitute Senate File 1213 for House File 1296.

Camp of Clinton asked and received unanimous consent to take up for immediate consideration Senate File 1213, a bill for an act relating to the appropriation of the office of the geological survey.

Camp of Clinton moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 1213)

The ayes were, 86:

Alt	Camp	Dougherty	Fischer, H. O.
Anania	Campbell	Doyle	Fisher, C. R.
Andersen	Christensen	Drake	Freeman
Bennett	Clark	Dunton	Gluba
Bergman	Cochran	Edelen	Grassley
Blouin	Curtis	Egenes	Hansen
Bray	Den Herder	Ellsworth	Harbor

Hill	Mayberry	Radl	Strothman
Husak	McCormick	Rex	Taylor
Jesse	McElroy	Rodgers	Tieden
Johnston	Mendenhall	Roorda	Trowbridge
Kehe	Middleswart	Sargisson	Uban
Kelly	Moffitt	Schmeiser	Varley
Kennedy	Mollett	Schroeder	Waugh
Kinley	Nielsen	Schwartz	Welden
Knoblauch	Norpel	Schwieger	Willits
Kreamer	Nystrom	Scott	Winkelman
Kruse	Patton	Skinner	Wirtz
Larson	Pellett	Small	Wyckoff
Lawson	Pelton	Sorg	Mr. Speaker
Lipsky	Pierson	Stanley	(Millen)
Logemann	Priebe	Strand	

The nays were, 3:

Holden	Monroe	Wells
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Absent or not voting, 11:

Ewell	Hamilton	Miller	Stokes
Franklin	Knoke	Shaw	Stromer
Goode	Menefee	Siglin	

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

HOUSE FILE 1296 WITHDRAWN

Camp of Clinton asked and received unanimous consent to withdraw **House File 1296** from further consideration by the House.

House File 1297, a bill for an act relating to continuation of the study of the state mental health institutes and the existing institutions for juveniles under the department of social services, with report of committee recommending passage, was taken up for consideration.

Camp of Clinton moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1297)

The ayes were, 86:

Alt	Clark	Ellsworth	Johnston
Anania	Cochran	Fisher, C. R.	Kehe
Andersen	Curtis	Freeman	Kelly
Bennett	Den Herder	Gluba	Kennedy
Bergman	Dougherty	Grassley	Kinley
Blouin	Doyle	Hansen	Knoblauch
Bray	Drake	Harbor	Kreamer
Camp	Dunton	Hill	Kruse
Campbell	Edelen	Holden	Larson
Christensen	Egenes	Jesse	Lawson

Lipsky	Nystrom	Schroeder	Trowbridge
Logemann	Patton	Schwartz	Uban
Mayberry	Pellett	Schwieger	Varley
McCormick	Pelton	Scott	Waugh
McElroy	Pierson	Skinner	Wells
Mendenhall	Priebe	Small	Willits
Middleswart	Radl	Sorg	Winkelman
Moffitt	Rex	Stanley	Wirtz
Mollett	Rodgers	Strand	Wyckoff
Monroe	Roorda	Strothman	Mr. Speaker
Nielsen	Sargisson	Taylor	(Millen)
Norpel	Schmeiser	Tieden	

The nays were, none.

Absent or not voting, 14:

Ewell	Hamilton	Miller	Stokes
Fischer, H. O.	Husak	Shaw	Stromer
Franklin	Knoke	Siglin	Welden
Goode	Menefee		

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

SIFTING COMMITTEE NONCONTROVERSIAL CALENDAR

HOUSE FILE 1290 DEFERRED

House File 1290, a bill for an act relating to the department of general services and the executive council, with report of committee recommending passage, was taken up for consideration.

Lawson of Cerro Gordo offered the following amendment filed by him and moved its adoption:

Amend House File 1290 as follows:

1. Page 6, by inserting the following new section after line 23:

"Sec. Section ninety-four point eleven (94.11), Code 1971, is amended to read as follows:

94.11 INVESTIGATION BY LABOR COMMISSIONER. The labor commissioner[,] and his deputy or inspectors, [and the chief clerk of the bureau] shall *administer the provisions of this chapter and shall* have authority to examine at any time the records, books and any papers relating in any way to the conduct of any employment agency or bureau within the state, and must investigate any complaint made against any such employment agency or bureau, and if any violations of law are found he shall at once file or cause to be filed, an information against any person, firm, or corporation guilty of such violation of law."

2. Page 7, line 21, by striking the word "and" and inserting in lieu thereof a comma.

3. Page 7, line 22, by inserting before the word "Code" the following: "ninety-four point two (94.2),

ninety-four point three (94.3), and ninety-four point four (94.4),”.

4. Page 1, line 1, by amending the title by inserting after the word “services” the following: “, duties of the labor commissioner,”.

5. By renumbering the bill sections to conform to this amendment.

The amendment was adopted.

Lawson of Cerro Gordo asked and received unanimous consent that **House File 1290** be deferred and that the bill retain its place on the **sifting committee noncontroversial calendar**.

REPORT OF THE CONFERENCE COMMITTEE ON SENATE FILE 428

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to consider the difference between the Senate and the House of Representatives on Senate File 428, a bill for an act to provide a unified trial court having district court judges and district court magistrates; to discontinue superior, justice of the peace, and police courts; and to establish traffic violations offices within the district court to receive uniform traffic violation penalties, respectfully submit the following recommendations:

1. That the House of Representatives recede from its amendment.

2. That Senate File 428, as amended, passed, and reprinted by the Senate, be amended as follows:

a. By striking everything after the enacting clause and inserting in lieu thereof the following:

UNIFIED TRIAL COURT

Section 1. UNIFIED TRIAL COURT. Effective July 1, 1973, there shall be a unified trial court in the state of Iowa, known as “Iowa District Court”. The Iowa district court shall have general and original jurisdiction of all actions, proceedings, and remedies, civil, criminal, probate, and juvenile, and shall have and exercise all the power usually possessed and exercised by trial courts of general jurisdiction.

Sec. 2. JUDICIAL OFFICERS. To the extent provided in this Act, the judicial power of the Iowa district court shall be exercised by Iowa district judges, district court associate judges, and judicial magistrates.

DISTRICT JUDGES

Sec. 3. Section six hundred four point eight (604.8), subsections two (2) and three (3), Code 1971, are amended to read as follows:

2. The number of judgeships to which each of the judicial districts shall be entitled shall be determined from time to time according to the following formula, giving equal weight to cases filed and population:

In districts containing a city of fifty thousand or more population, there shall be one judgeship per five hundred fifty combined civil and criminal filings *excluding small claims and misdemeanors* and forty thousand population, or major fraction of either; in all other districts there shall be one judgeship per four hundred fifty combined civil and criminal filings and forty thousand population, or major fraction of either; provided, the seat of government shall be entitled to one additional judgeship. The figures on filings shall be the average for the latest available previous three-year period and when current census figures on population are not available, figures shall be taken from the state department of health computations.

3. A vacancy, for purposes of this section, is defined as the death, retirement, removal, or failure of retention in office at the judicial election, of a judge *or increase in judgeships under this section*.

Sec. 4. Section six hundred four point eight (604.8), subsection six (6), Code 1971, is amended by striking the subsection and inserting in lieu thereof the following:

6. In those judicial districts that contain judicial election districts, no vacancy in any judicial election district shall be filled if the total number of judges in all the judicial election districts within the judicial district equals or exceeds the number of judgeships to which all of the judicial election districts of the judicial district combined are authorized.

Sec. 5. Section six hundred four point eight (604.8), subsections seven (7) and eight (8), Code 1971, are amended to read as follows:

7. [After the number of judges in each district equals the proper number of judgeships, as determined under subsection 2 hereof, subsection 6 hereof shall be of no further effect. Thereafter, a new judge shall be appointed in any district which becomes entitled to an additional judgeship, under subsection 2 hereof; and vacancies] *Vacancies* shall not be filled in any district which may become entitled to fewer judgeships under said subsection; but no incumbent judge shall ever be removed from office by reason thereof.

8. [On] *During* January [2] of each year, and at such other times as may be appropriate, the [chief justice] *supreme court administrator* shall make the determinations required under this section, and shall notify the nominating commissions involved and the governor of any appointments that may be required as a result thereof.

Sec. 6. Before April 1, 1973, the supreme court administrator shall notify the secretary of state of any additional judgeships created by this Act. The secretary of state shall notify the proper judicial

nominating commission in accordance with chapter forty-six (46) of the Code. Such commission shall proceed as provided in that chapter. Effective July 1, 1973, a district judge shall be appointed for the district pursuant to chapter forty-six (46) of the Code, if the district is entitled to an additional judge or judges as a result of this Act.

Sec. 7. The governor may appoint a person to serve as a judge or magistrate whenever federal funds are available for his salary, the cost of courtroom space, and the salary of any additional court staff. The person appointed by the governor shall fill the position until his successor is appointed or until federal funds are no longer available as required in this section. The person appointed under this section may hear all cases in which the use of alcohol is evident, and any prosecution under section three hundred twenty-one point two hundred eighty-one (321.281) of the Code may be transferred within the judicial district to the jurisdiction of the person appointed under this section.

Sec. 8. DISTRICT JUDGES. Iowa district judges shall possess the full jurisdiction of the Iowa district court, including the jurisdiction of judicial magistrates. While exercising the jurisdiction possessed by judicial magistrates, district judges shall employ judicial magistrates' practice and procedure, and may hold court at any place where a judicial magistrate may do so.

Sec. 9. Section six hundred four point three (604.3), Code 1971, is amended by striking the section and inserting in lieu thereof the following:

604.3 PROBATE ORDERS. Iowa district judges shall have statewide jurisdiction to enter order in probate matters not requiring notice and hearing, although the judge is not a judge of or present in the district in which the probate matter is pending. Such orders shall be made in conformity with the rules of the district in which the probate matter is pending.

Sec. 10. Section six hundred thirty-three point three (633.3), Code 1971, is amended by striking subsection nine (9) and inserting in lieu thereof the following:

9. Court—the Iowa district court sitting in probate and includes any Iowa district judge.

Sec. 11. Section six hundred four point nine (604.9), Code 1971, is amended to read as follows:

604.9 PLACE OF HOLDING COURT. Courts must be held at the places [provided by law] *in each county, as designated by the chief judge of the judicial district*, except for the determination of actions, special proceedings and other matters not requiring a jury, when they may[, by consent of the parties therein,] be held at some other place *in the district with the consent of the parties*.

JUDICIAL MAGISTRATES

Sec. 12. COMPOSITION OF COUNTY JUDICIAL MAGISTRATE APPOINTING COMMISSIONS. There shall be in each county a judicial magistrate appointing commission which shall be composed of the following members, except as provided in section eighteen (18) of this Act:

- 1. A district court judge designated by the chief judge of the district.
- 2. Three members appointed by the board of supervisors.
- 3. Two attorneys elected by the county bar.

Sec. 13. APPOINTMENT COMMISSIONERS. The boards of supervisors of each county shall appoint three electors to the county judicial magistrate appointing commission for the county for six-year terms beginning January 1, 1973.

Sec. 14. ELECTION COMMISSIONERS. The resident members of the bar of each county shall elect resident members of the bar of such county to the county judicial magistrate appointing commission for six-year terms beginning on January first. During December 1972, and in each December thereafter, immediately preceding the expiration of the terms of the members of the commission, the members of the bar shall elect commissioners to six-year terms.

Sec. 15. ELIGIBILITY TO VOTE. Eligibility to vote in elections of judicial magistrate appointing commissioners within a county shall be registration as a member of the bar in accordance with sections forty-six point seven (46.7) and forty-six point eight (46.8) of the Code, and residency within the county.

Sec. 16. CONDUCT OF ELECTIONS. When an election of judicial magistrate appointing commissioners in a county is to be held, the clerk of the district court for the county shall cause ballots to be mailed to the members of the bar eligible in accordance with section fifteen (15) of this Act, substantially as follows:

..... County Judicial Magistrate Appointing Commission

BALLOT

To be cast by the resident members of the bar of County.

Vote for (state number) for County judicial magistrate appointing commissioner(s) for term commencing

John Doe

To be counted, this ballot must be completed and mailed or delivered to Clerk of the District Court,, not later than December 31, 19.... (or the appropriate date under section nineteen (19) of this Act in case of an election to fill a vacancy).

Sec. 17. No person while a member of the county judicial magistrate appointing commission shall be appointed to the office of judicial magistrate. No

member appointed by the board of supervisors to the judicial magistrate appointing commission shall be an attorney at law or an active law enforcement officer.

Sec. 18. EXCEPTION. In the event there is only one resident member of the bar in a county, the number appointed by the county board of supervisors shall be two. In the event there are no attorneys within the county, the county board of supervisors shall appoint one commissioner.

Sec. 19. VACANCY. A vacancy in the office of judicial magistrate appointing commissioner shall be filled by special appointment or election as the case may be for the unexpired term.

Sec. 20. APPOINTMENT AND TERMINATION OF JUDICIAL MAGISTRATES. During April, 1973 and in April of the year in which magistrates' terms expire, the judicial magistrate appointing commission shall, by majority vote, appoint Iowa judicial magistrates in such number as provided in section twenty-eight (28) of this Act. The commission shall appoint no more magistrates than allotted to the county by the supreme court administrator except as provided in sections twenty-eight (28) and twenty-nine (29) of this Act. The judicial magistrates appointed initially shall take office July 1, 1973, and their term of office shall expire June 30, 1974. Thereafter, judicial magistrates shall take office on July 1, 1974 and every two years thereafter, provided however, full time judicial magistrates appointed for the term commencing July 1, 1974 shall hold office for a term of four years and shall be subject to appointment every four years thereafter. The commission shall promptly certify the names and addresses of the magistrates appointed to the clerk of the district court and the chief judge of the judicial district. The clerk shall certify to the supreme court administrator and to the state comptroller the names and addresses of magistrates so appointed. The certification of the clerk to the comptroller shall be authority for the comptroller to pay the salaries in accordance with section twenty-four (24) of this Act. Judicial magistrates shall be officers of the state.

Before assuming office, a judicial magistrate shall subscribe and file in the office of the clerk of the district court of the county of his residence his oath of office to uphold and support the Constitutions of the United States of America and State of Iowa, the laws enacted pursuant thereto, and the law and ordinances of the political subdivisions of the state of Iowa. Before July 1, 1973, and annually thereafter, the supreme court administrator shall cause a school of instruction to be conducted for district magistrates, which each district magistrate appointed as provided in this Act prior to the time he takes office shall attend unless excused by the chief justice for a good cause.

Sec. 21. FULL TIME MAGISTRATES. Of the number of

magistrates allotted, there shall be one magistrate who shall devote his entire time to the duties of his position including the holding of court on each weekday except for a reasonable vacation period in those counties having a population, according to the last federal decennial census, of more than thirty-five thousand and less than eighty thousand. There shall be two such magistrates in those counties having a population of more than eighty thousand and less than one hundred twenty-five thousand. There shall be three such magistrates in any county having a population of more than one hundred and twenty-five thousand and less than two hundred thousand people. There shall be four such magistrates in counties having a population of two hundred thousand people or above. In those counties in which a district court associate judge or judges reside, the district court associate judge or judges shall be considered full-time judicial magistrates for the purposes of this section. In those counties authorized more full-time magistrates than have district court associate judges residing therein, the county judicial magistrate appointing commission shall determine which magistrate or magistrates shall serve on a full-time basis.

Sec. 22. QUALIFICATIONS, AGE. A judicial magistrate shall be an elector of the county of appointment, shall be less than seventy-two years of age, and shall cease to hold office upon attaining that age.

Sec. 23. PROHIBITIONS. No magistrate shall accept any fee or reward from or on behalf of anyone for services rendered in the conduct of any official business except as provided in this Act.

A magistrate or any member of any corporation, partnership, firm or association with which he may be connected, may not be directly or indirectly engaged in any capacity for any party in any action or proceeding pending or arising within his jurisdiction based upon substantially the same facts upon which a prosecution or proceeding has been prosecuted or commenced before him.

Sec. 24. SALARY, EXPENSES. Each judicial magistrate shall receive a salary payable from the general fund of the state and also his actual and necessary expenses in the performance of his duties while away from the city or town of his residence, in accordance with section six hundred five point two (605.2) of the Code. The salary of judicial magistrates, except as otherwise provided herein, shall be the sum of four thousand eight hundred dollars annually. The judicial magistrates serving as full-time magistrates shall receive an annual salary of seventeen thousand two hundred dollars. Judicial magistrates except district associate judges shall be members of the Iowa public employees' retirement system.

Sec. 25. During January of 1975, the supreme court

administrator shall make a report to the Sixty-sixth General Assembly, detailing the previous year's statistics provided by the judicial magistrates. The Sixty-sixth General Assembly shall review and readjust the compensation of judicial magistrates. If the general assembly fails to readjust the salaries under this section the salaries shall remain the same.

Sec. 26. FUNDS, REPORTS. Each month each judicial magistrate shall file with the clerk of the district court of the proper county a sworn, itemized statement, by case, of all funds received and disbursed, and at least monthly shall remit to the clerk all funds received by him. The clerk of court shall provide adequate clerical assistance to the full-time magistrates and district associate judges to carry out this section. The clerk shall remit all fines and forfeited bail received from a magistrate to the city or town that was the plaintiff in any action. The clerk shall remit to the treasurer of the county, for the benefit of the school fund, all other fines and forfeited bail received from a magistrate. All fees and costs for the filing of a complaint or information or upon forfeiture of bail received from a magistrate shall be remitted monthly by the clerk as follows:

1. Three-fifths to the state treasurer to be credited to the general fund of the state.
2. Two-fifths to the county treasurer to be credited to the general fund of the county.

Sec. 27. REMOVAL OF JUDICIAL MAGISTRATES. The electors residing within a county where a magistrate resides may petition the judges of the district court to terminate the appointment of a judicial magistrate sitting in that district. Such petition shall be signed by at least two percent of the electors voting for governor in the last general election of the county of residence of the magistrate and shall contain a general statement of the grounds upon which termination is sought. Within thirty days after the petition is filed with the clerk of the district court of the county in which the judicial magistrate resides, the district judges of that district sitting en banc shall hold a hearing to determine the sufficiency and the merits of such petition and shall determine whether to continue or terminate the appointment of such judicial magistrate.

The district court judges sitting en banc on their own motion may by majority vote, remove a magistrate for disability or for other cause.

Sec. 28. ALLOTMENT. There shall be a combined total of two hundred twenty Iowa judicial magistrates and district court associate judges combined except as provided in section twenty-nine (29) of this Act. During January of 1974 and every two years thereafter, the supreme court administrator shall apportion the number of district magistrates among the counties in accordance with the following criteria:

1. The number and type of proceedings contained in the administrative reports required by section thirty-five (35) of this Act.

2. The existence of either permanent, temporary or seasonal populations not included in the current census figures.

3. The geographical area to be served.

4. An inordinate number of pending cases over which magistrates have jurisdiction in the preceding year.

5. The number and types of juvenile proceedings handled by district associate judges.

Provided, however, that each county shall be allotted no less than one resident judicial magistrate.

During February of 1974 and during February of every two years thereafter, the supreme court administrator shall notify the clerk of the district court of each county and the chief judge of the appropriate judicial district, of the number of magistrates to which the county is entitled.

Sec. 29. ADDITIONAL JUDICIAL MAGISTRATE ALLOWED. In those counties which are allotted one judicial magistrate under section twenty-eight (28) or thirty (30) of this Act, the county judicial magistrate appointing commission may, by majority vote, decide to appoint one additional judicial magistrate. In those counties appointing an additional magistrate under this section, each magistrate shall receive a salary of two thousand four hundred dollars per year.

Sec. 30. INITIAL ALLOTMENT. The allotment of the judicial magistrates to be appointed in 1973 shall be as follows:

1. One magistrate for each of the following counties: Adams, Allamakee, Audubon, Calhoun, Cherokee, Davis, Decatur, Emmet, Franklin, Fremont, Greene, Guthrie, Hancock, Howard, Humboldt, Ida, Jefferson, Keokuk, Louisa, Lucas, Lyon, Madison, Mitchell, Monroe, Montgomery, O'Brien, Osceola, Palo Alto, Pocahontas, Ringgold, Shelby, Taylor, Union, Van Buren, Wayne, Winnebago, and Worth.

2. Two magistrates for each of the following counties: Adair, Appanoose, Boone, Buchanan, Buena Vista, Butler, Carroll, Cass, Chickasaw, Clarke, Clay, Clayton, Crawford, Dallas, Delaware, Dickinson, Fayette, Grundy, Hamilton, Hardin, Henry, Iowa, Jackson, Jasper, Jones, Kossuth, Mahaska, Marion, Marshall, Mills, Monona, Page, Poweshiek, Sac, Sioux, Tama, Washington, Winneshiek, and Wright.

3. Three magistrates for each of the following counties: Benton, Bremer, Des Moines, Floyd, Harrison, Muscatine, Plymouth, Wapello, Warren, and Webster.

4. Four magistrates for each of the following counties: Cedar, Cerro Gordo, Clinton, Dubuque, Johnson, Lee, and Story.

5. Six magistrates for Black Hawk county.

6. Seven magistrates for Linn county.

7. Eight magistrates for each of the following counties: Pottawattamie, Scott, and Woodbury.

8. Ten magistrates for Polk county.

Sec. 31. JURISDICTION, VENUE. Judicial magistrates shall have jurisdiction of nonindictable misdemeanors, including traffic and ordinance violations, preliminary hearings, search warrant proceedings, forcible entry and detainer actions, and small claims. They shall also have the powers specified in section seven hundred forty-eight point two (748.2) of the Code. They shall have power to act any place within the district as directed, and venue shall be the same as in other district court proceedings. Judicial magistrates serving on a full-time basis and district associate judges shall have jurisdiction of indictable misdemeanors. While exercising that jurisdiction they shall employ district judges' practice and procedure.

Sec. 32. TIMES AND PLACES OF HOLDING COURT. Judicial magistrates shall hold court at the times and places designated by the chief judge of the district. The chief judge may assign a magistrate to hold court at other designated places within the district outside of the county of the magistrate's residence only if it is necessary for the orderly administration of justice. The boards of supervisors shall provide facilities for the holding of court at the county seats. If court is held in a city or town, outside the county seat, such city or town shall furnish suitable facilities and equipment. The schedule of places and times of availability of magistrates and of any changes therein shall be disseminated by the chief judge of the judicial district to the peace officers within the district.

Sec. 33. PROCEDURE. The criminal procedure before judicial magistrates shall be as provided in chapters seven hundred fifty-one (751), seven hundred fifty-four (754) through seven hundred sixty-three (763), inclusive, seven hundred sixty-five (765), seven hundred sixty-six (766), and seven hundred sixty-eight (768) of the Code. The civil procedure before judicial magistrates shall be as provided in this Act and chapter six hundred forty-eight (648) of the Code.

Sec. 34. DOCKETS, JUDGMENTS, COSTS. The clerk of the district court of the county in which a judicial magistrate resides shall furnish the judicial magistrate, district associate judge, or district judge acting as judicial magistrate, a docket in which shall be entered all proceedings except small claims. Such docket shall be indexed and shall contain in each case the title and nature of the action; place of hearing; appearances; and notations of the documents filed with the judicial magistrate, of the proceedings in the case and orders made, of the verdict and judgment including costs, of any satisfaction of the judgment, of whether the judgment was certified to the clerk of the district court, of whether an appeal was taken, and of the amount of the

appeal bond. The defendant charged with a nonindictable misdemeanor who is found guilty or forfeits bail shall be assessed as costs five dollars for the filing and docketing of the complaint or information which shall be distributed pursuant to section twenty-six (26) of this Act. All other costs in criminal actions shall be assessed and distributed as in chapter six hundred six (606) of the Code. If the judgment and costs are not fully and immediately satisfied in criminal cases, the judicial magistrate shall promptly certify a copy of the judgment to the clerk of the district court indicating thereon the portion unsatisfied; and the clerk shall index and file the judgment, whereupon it shall be a judgment of the district court without recording.

Sec. 35. ADMINISTRATIVE REPORTS. Each month the magistrate shall report to the clerk of the district court of each county, the board of supervisors and the chief judge of the appropriate judicial district in which he held court, the following:

1. The number of small claims tried to the court and those pending.
 2. The number of state misdemeanor cases tried to the court and those pending.
 3. The number of state misdemeanor cases tried to a jury and those pending.
 4. The number of city ordinance violations tried to the court and those pending.
 5. The number of city ordinance violations tried to a jury and those pending.
 6. The number of preliminary hearings held and pending.
 7. The number of forcible entry and detainer actions filed.
 8. The number of search warrants applied for.
- The clerk of the district court shall quarterly consolidate the reports and forward them to the supreme court administrator.

Sec. 36. MAGISTRATES NOT HOLDING OFFICE. When a district magistrate ceases to hold office, his docket and all records relating to his office shall be promptly deposited with the clerk of the district court who issued the docket.

DISTRICT ASSOCIATE JUDGES AND THEIR REPORTERS AND DEPUTY CLERKS AND SHERIFFS

Sec. 37. DISTRICT ASSOCIATE JUDGES. The regular judges of the municipal courts of Iowa who are in office on June 30, 1973, and who are less than seventy-two years of age on July 1, 1973 and who have not been appointed district court judges shall become district associate judges on the latter date.

Sec. 38. TERM, RETENTION. District associate judges shall stand for retention in office within the county of his residence at the judicial election in 1974, under sections forty-six point seventeen (46.17) through

forty-six point twenty-four (46.24), inclusive, of the Code. The term of office of the judges who are retained in office at the judicial election shall extend for four years after January first next following the election, and the term of office of the judges who are not retained in office at such a judicial election shall extend until January first next following such election. District court associate judges shall be subject to the same removal procedures as that of judicial magistrates. District associate judges shall cease to hold office upon attaining age seventy-two.

Sec. 39. VACANCIES. A vacancy in the office of district associate judge after June 30, 1973, shall not be filled.

Sec. 40. SALARY, EXPENSES, RETIREMENT. The annual salary of each district associate judge, payable from the general fund of the state of Iowa, shall be the sum of seventeen thousand two hundred dollars. District associate judges shall also receive from the state their actual and necessary expenses in the performance of their duties away from the city of their residence, in accordance with section six hundred five point two (605.2) of the Code. District associate judges who are members of the judicial retirement system under chapter six hundred five A (605A) of the Code shall remain members thereof; but the state of Iowa, instead of the city and county, shall deduct four percent from their salaries for the judicial retirement fund and shall contribute the public's portion to the judicial retirement fund.

Sec. 41. JURISDICTION, PROCEDURE, APPEALS. District associate judges shall serve as full-time magistrates and have the jurisdiction possessed by judicial magistrates and, in addition, the jurisdiction provided for in section two hundred thirty-one point three (231.3) of the Code. District associate judges shall hold court as directed at any place within the judicial district that a judicial magistrate may do so, and shall employ judicial magistrates' practice and procedure. When a district court judge is unable to serve as a result of temporary incapacity, a district associate judge may, by order of the chief judge of the district enrolled in the records of the clerk of the district court, temporarily exercise any of the jurisdiction of a district judge during the time of incapacity and as to the specific matters or classes of matters specified in that order. While exercising jurisdiction other than that of a judicial magistrate, district associate judges shall employ district judges' practice and procedure. District associate judges shall have power to act at any place within their respective judicial districts, and venue shall be the same as in other district court proceedings.

Appeals from judgments or orders of district associate judges while exercising the jurisdiction possessed by

judicial magistrates shall be governed by the laws relating to appeals and orders from judicial magistrates. Appeals from judgments or orders of district associate judges while exercising any other jurisdiction conferred upon them shall be governed by the laws relating to appeals and orders from district judges.

For purposes of administration district associate judges shall be under the jurisdiction of the chief judge of the judicial district. District associate judges shall be subject to the same rules and laws that apply to district judges.

Sec. 42. REPORTERS. After July 1, 1972, no shorthand reporter shall be appointed by a municipal court judge. Any shorthand reporter serving a municipal court judge on June 30, 1973, shall become a reporter for the judicial district to be assigned by the chief judge as needed. Their compensation shall be in accordance with section six hundred five point eight (605.8) of the Code.

Sec. 43. CLERKS AND BAILIFFS. Elective clerks and elective bailiffs of municipal courts who are in office on June 30, 1973, and municipal court deputy clerks and deputy bailiffs who are in office on that date, shall on July 1, 1973, become deputies of the district court clerks and sheriffs respectively, in the counties of their residence. The boards of supervisors may enlarge the district court clerks' and sheriffs' facilities accordingly, and shall have authority to build, remodel, purchase, and lease real and personal property and equipment for such purpose, subject to chapter seventy-five (75) and sections three hundred thirty-two point seven (332.7) and three hundred thirty-two point eight (332.8) of the Code, where applicable. The compensation and other benefits received on January 1, 1972 by the individuals who so become deputies shall not be reduced after June 30, 1973, from the amount on that date, unless all the deputies of the office are similarly reduced, but shall be paid by the counties of their residence; provided, that if the salary of any deputy equals or exceeds the salary of the district court clerk or sheriff of whom he is deputy, then the salary of the particular district court clerk or sheriff shall be increased so as to exceed the salary of the deputy by the sum of two hundred dollars per year.

The individuals who were elective municipal court clerks and bailiffs on June 30, 1973, and who were municipal court deputy clerks and deputy bailiffs on that date, may as deputies of the district court clerks and sheriffs be suspended, demoted, or discharged by the district court clerks and sheriffs only for neglect of duty, disobedience of orders, misconduct, or failure to properly perform duties, by pursuing the procedure provided by sections three hundred sixty-five point nineteen (365.19) through three hundred sixty-five point twenty-six (365.26), inclusive, of the Code;

and in these cases the district court clerk or sheriff shall be deemed to be the person having the appointing power, the county auditor shall perform the functions of the mayor or city manager, the board of supervisors shall perform the functions of the civil service commission, and the county attorney shall perform the functions of the city attorney or solicitor.

As vacancies occur after June 30, 1973, in the number of any deputy district court clerks or deputy sheriffs in counties having a municipal court on December 31, 1972, as a result of resignations, retirements, deaths, or discharges for cause, the boards of supervisors may adjust the number of deputies if so indicated by work load, pursuant to section three hundred forty-one point one (341.1) of the Code; but the total number of district court deputy clerks or deputy sheriffs in such counties shall not otherwise be reduced notwithstanding section three hundred sixty-five point twenty-eight (365.28) of the Code, until the district court deputy clerks or deputy sheriffs brought into the offices from the municipal courts cease to hold office in the particular county.

A municipal court bailiff or deputy bailiff who on June 30, 1973, is a member of the retirement system provided by chapter four hundred eleven (411) of the Code shall continue to be such a member thereafter; and that chapter shall continue to apply to them notwithstanding this Act, with the appropriate county deducting from his compensation his contributions to the retirement fund and the county contributing the public's portion to such fund.

Sec. 44. After July 1, 1972, no new municipal courts shall be established, no new municipal court judgeships shall come into existence, and no elections of municipal court judges, clerks, or bailiffs shall be held, notwithstanding sections six hundred two point one (602.1) through six hundred two point five (602.5), inclusive, and six hundred two point ten (602.10) through six hundred two point twelve (602.12), inclusive, of the Code. This section shall become effective July 1, 1972.

Sec. 45. COURTS ABOLISHED, TRANSITION. All mayors' courts, justice of the peace courts, police courts, superior courts, and municipal courts and offices connected therewith, are abolished as of July 1, 1973. Promptly after July 1, 1973, the officials of these courts shall file all documents and books pertaining to their offices with the clerk of the district court of their counties. District judges shall assign to judicial magistrates the pending cases within judicial magistrates' jurisdiction, and such cases shall then be pending before those judicial magistrates. All other pending cases shall be pending in the district court of the county, and the clerk of that court shall within thirty days give written notice of that fact by ordinary

mail to the parties or their attorneys of record at their last known addresses. All municipal court judges, clerks of the municipal court and their deputies, bailiffs of municipal court and their deputies, police court judges, justices of the peace and constables holding office on July 1, 1972 shall continue in office through June 30, 1973.

POLICE CITATIONS

Sec. 46. **CONDITIONS.** Whenever it would be lawful for a peace officer to arrest a person without a warrant, he may issue a citation instead of making the arrest and taking the person before a magistrate.

Sec. 47. **FORM.** The citation shall include the name and address of the person, the nature of the offense, the time and place at which the person is to appear in court, and the penalty for nonappearance.

Sec. 48. **PROCEDURE.** Before he is released, the cited person shall sign the citation as a written promise to appear in court at the time and place specified. A copy of the citation shall be given to the person.

Sec. 49. **COMPLAINT.** The law enforcement officer issuing the citation shall cause to be filed a complaint in the court in which the cited person is required to appear, as soon as practicable, charging the crime stated in said notice.

Sec. 50. **FAILURE TO APPEAR.** Any person who willfully fails to appear in court as specified by the citation shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than five hundred dollars or by imprisonment in the county jail not exceeding three months, or by both such fine and imprisonment.

TRAFFIC VIOLATIONS

Sec. 51. **UNIFORM CITATION AND COMPLAINT.** The commissioner of public safety shall adopt a uniform, combined traffic citation and complaint, which shall be used for charging all traffic violations in Iowa under state law or municipal ordinance, unless the defendant is charged by information or section fifty-eight (58) of this Act is applicable. Each citation and complaint shall be serially numbered and shall be in quadruplicate, and the officer shall deliver the original and a copy to the court where the defendant is to appear, a copy to the defendant, and a copy to the law enforcement agency of the officer. The court shall forward the copy of the citation and complaint in accordance with section three hundred twenty-one point two hundred seven (321.207) of the Code. The citation and complaint shall contain, among other things, spaces for the parties' names and for the information required by section three hundred twenty-one point four hundred eighty-five (321.485), subsection two (2), of the Code; a place where the defendant may sign the promise to appear referred to in section three hundred twenty-one point four hundred (321.400); a list of the minimum fines

prescribed by section fifty-three (53) of this Act, either separately or by groups; a brief explanation of sections fifty-four (54) and fifty-five (55) of this Act; and a space where the defendant may sign an admission of the violation when such section fifty-four (54) of this Act is applicable. Every citation and complaint shall require the defendant to appear before a court at a specified time and place. Notwithstanding section three hundred twenty-one point four hundred eighty-five (321.485), subsection two (2) of the Code, the officer may arrest the defendant although a citation and complaint is used to charge the violation, if authorized by section seven hundred fifty-five point four (755.4) of the Code.

Sec. 52. TRAFFIC VIOLATIONS OFFICES. Each district court clerk's office shall constitute a traffic violations office of the district court. Additional traffic violations offices may be established at other locations, as needed, if authorized by the chief judge of the district.

Sec. 53. SCHEDULE VIOLATIONS. The minimum fine for all convictions of the following violations, whether of state law or municipal ordinance, shall be:

1. Illegal parking, except under section fifty-eight (58) hereof, two dollars.
2. Registration card or plate violation, five dollars.
3. Improper lights, ten dollars.
4. Improper muffler, ten dollars.
5. Other defective equipment, ten dollars.
6. Excess speed up to ten miles per hour over the legal limit, twenty dollars.
7. Motor running unattended, ten dollars.
8. Failure to dim lights, ten dollars.
9. Violation of restricted license, twenty dollars.
10. Stopping on traveled portion, twenty dollars.
11. Violation of height, length, or width, twenty-five dollars.

Violations of the schedule of axle and tandem axle and gross or group of axle weight violations in section three hundred twenty-one point four hundred sixty-three (321.463) of the Code, shall be scheduled violations subject to the provisions, procedures, and exceptions contained in sections fifty-eight (58), fifty-nine (59), sixty-one (61), sixty-two (62), sixty-three (63), and sixty-four (64) of this Act, irrespective of the amount of the fine under such schedule. Violations of the schedule of weight violations shall be chargeable, where the fine charged does not exceed one hundred dollars, only by uniform citation and complaint. Violations of the schedule of weight violations, where the fine charged exceeds one hundred dollars: (1) shall, when the violation is admitted and section fifty-four (54) of this Act applies, be chargeable upon uniform citation and complaint, indictment, or county attorney's

information, (2) but otherwise, shall be chargeable only upon indictment or county attorney's information. In all cases of charges under the schedule of weight violations, the charge shall specify the amount of fine charged under the schedule. Where a defendant is convicted and the fine under the foregoing schedule of weight violations exceeds one hundred dollars, the conviction shall be of an indictable offense although section fifty-four (54) of this Act is employed and whether the violation is charged upon uniform citation and complaint, indictment, or county attorney's information.

Such violations shall be called scheduled violations.

Sec. 54. ADMISSION OF SCHEDULED VIOLATIONS.

1. In cases of scheduled violations, the defendant, before the time specified in the citation and complaint for appearance before the court, may sign the admission of violation on the citation and complaint and deliver or mail the citation and complaint, together with the minimum fine for the violation, plus five dollars costs, to a traffic violations office in the county. The office shall, if the offense is a moving violation, forward a copy of the citation and complaint and admission to the commissioner of public safety as required by section three hundred twenty-one point two hundred seven (321.207) of the Code. Thereupon the defendant shall not be required to appear before the court. The admission shall constitute a conviction.

2. A defendant charged with a schedule violation by information may obtain two copies of the information from the court and, before the time he is required to appear before the court, deliver or mail such copies, together with his admission, fine, and five dollars costs, to the traffic violations office in the county. The procedure, fine, and costs shall be the same as when the charge is by citation and complaint, with the admission and the number of the defendant's operator's or chauffeur's license placed upon the information.

3. When sections fifty-three (53) and fifty-four (54) of this Act are applicable but the officer does not deem it advisable to release the defendant and no court in the county is in session:

a. If the defendant wishes to admit the violation, the officer may release the defendant upon observing him mail the citation and complaint, admission, and minimum fine, together with five dollars costs, to a traffic violations office in the county, in an envelope furnished by the officer. The officer may allow the defendant to mail a check in the proper amount in lieu of cash. If the check is not paid by the drawee for any reason, the defendant may be held in contempt of court. The officer shall advise the defendant of the penalty for nonpayment of the check.

b. If the defendant does not comply with paragraph a of this subsection, the officer may release the

defendant upon observing him mail to a court in the county the citation and complaint and twice the minimum fine together with five dollars costs, or in lieu of twice the fine and the costs, a guaranteed arrest bond certificate as provided in subsection seventy (70) of section three hundred twenty-one point one (321.1) of the Code, together with the following statement signed by the defendant:

"I agree that either (1) I will appear pursuant to this citation or (2) if I do not so appear that I hereby admit the violation charged in the citation and complaint and consent to entry of judgment of conviction for twice the minimum fine together with five dollars costs and to application of the enclosed funds or bail in satisfaction of such fine and costs."

c. If the defendant does not comply with paragraph a or b, or in any event when section seven hundred fifty-five point four (755.4) of the Code is applicable, the officer may arrest and confine the defendant if authorized by the latter section, and proceed with him according to chapter seven hundred fifty-seven (757) or seven hundred fifty-eight (758) of the Code.

4. Any defendant who admits a scheduled violation may nevertheless appear before court. The procedure, costs, and fine, without suspension of the fine, after the hearing shall be the same as in the traffic violations office.

5. A defendant charged with a scheduled violation who does not fully comply with subsection one (1), two (2), three (3), or four (4) of this section before the time required to appear before the court must, at that time, appear before the court. If such defendant admits the violation, the procedure and fine, without suspension, after the hearing shall be the same before the court as before the traffic violations office with five dollars court costs, without prejudice, when applicable, to proceedings under section three hundred twenty-one point four hundred eighty-seven (321.487) of the Code.

Sec. 55. **REQUIRED COURT APPEARANCE.** Section fifty-four (54) of this Act shall not apply to a scheduled violation:

1. When the violation charged resulted in an accident or injury.

2. When the officer determines that the defendant does not have in force a valid operator's or chauffeur's license or permit.

3. When the officer determines that the violation was hazardous or aggravated because of highway conditions, visibility, traffic, repetition, or other circumstances.

In such cases, the defendant shall appear before the court and regular procedure shall apply. If an information is used the officer shall endorse thereon, "Not for traffic violations office." If a citation

and complaint is used, the officer shall strike out the space in which the defendant may admit the violation before a traffic violations office. A citation and complaint or information containing a charge under subsections one (1) and two (2) of this section shall not itself constitute substantive proof of the charge. A defendant shall appear before the court for any nonscheduled violation.

Sec. 56. OTHER PENALTIES. When section fifty-four (54) of this Act does not apply to a scheduled violation or when the defendant denies a scheduled violation, if the defendant is found guilty the penalty shall be the scheduled fine, without suspension of the fine prescribed in section fifty-three (53) of this Act together with five dollars court costs, unless it appears that the violation was hazardous or aggravated, in which event the punishment shall be increased accordingly within the limits of law.

Sec. 57. DISPOSITION OF TRAFFIC FINES AND COSTS. Fines, forfeiture of bail, fees, and costs collected for all traffic violations shall be remitted in accordance with section twenty-six (26) of this Act.

Sec. 58. PARKING METER VIOLATIONS. Section three hundred twenty-one point two hundred thirty-six (321.236), subsection one (1), Code 1971, is amended by adding thereto the following:

"Parking meter violations which are denied shall be charged and proceed before a court the same as other traffic violations. Parking violations which are admitted:

a. May be charged upon a simple notice of a fine not exceeding ten dollars payable to the city or town clerk, if authorized by ordinance.

b. Notwithstanding any such ordinance, may be charged and proceed before a traffic violations office or a court, as the case may be, the same as other traffic violations."

Sec. 59. VENUE.

1. Traffic violations committed by a defendant while a peace officer is in fresh pursuit may be prosecuted in any county through which pursuit is made, irrespective of where committed.

2. Upon written consent of the defendant and the officer who apprehended him, traffic violations may be prosecuted in any county in the state irrespective of where committed, and in such event the documents in the case shall be sent to the court or traffic violations office designated by the defendant and the officer.

SMALL CLAIMS

Sec. 60. SMALL CLAIMS. A small claim is a civil action for money damages where the amount in controversy in money is one thousand dollars or less, exclusive of interests and costs, and actions for forcible entry and detainer.

Sec. 61. TRIAL OF SMALL CLAIMS. Small claims shall be tried only by judicial magistrates and district associate judges, except when tried by regular procedure under section sixty-seven (67) of this Act when they shall be tried by a district judge. Small claims shall be commenced, heard, and determined in accordance with sections sixty-one (61) through seventy-one (71) of this Act, inclusive. Other statutes and rules relating to civil proceedings shall apply, but only insofar as not inconsistent with this Act. Small claims on file for ninety days and not determined shall be dismissed by the clerk without prejudice unless prior thereto a party secures an order of continuance to a date certain after notice and hearing, upon a ground stated in rule two hundred fifteen point one (215.1) of the rules of civil procedure. Contested claims in an amount of a small claim may be heard and determined under this Act and actions therefor may be commenced hereunder; if commenced as a regular civil action or under the statutes relating to probate proceedings, they shall be transferred to the small claims docket and proceed accordingly. Small claims coming within this Act but commenced as a regular action shall not be dismissed but shall be transferred to the small claims docket. Civil and probate actions not small claims but commenced hereunder shall be dismissed without prejudice except for defendants who have appeared, as to whom such actions shall be transferred to the combination or probate docket, as appropriate.

Sec. 62. COMMENCEMENT OF ACTIONS. All actions shall be commenced by the filing of an original notice with the clerk. The clerk shall mail a copy of the original notice to each defendant at his last known address, as stated in the original notice, by restricted certified mail, return receipt to the clerk requested. Instead of the mailing, the plaintiff may, after filing the original notice with the clerk, cause a copy of same to be served on all or some defendants in the manner provided in the rules of civil procedure pertaining to the commencement of actions. The clerk shall maintain a book known as the small claims docket, which shall contain as to small claims the matters contained in the combination docket as to the regular civil actions.

Sec. 63. ORIGINAL NOTICE—FORM. The original notice must be mailed or otherwise served not less than ten nor more than twenty days prior to the hearing date. The original notice and copies shall be signed by the plaintiff, either in person or by attorney, and shall be in substantially the following form:

IN THE DISTRICT COURT OF IOWA
IN AND FOR COUNTY

.....)
Plaintiff(s))
.....)
Address of each plaintiff)
.....)
vs)
.....)
Defendant(s))
.....)
Address of each defendant)

SMALL CLAIM NO.

ORIGINAL NOTICE

To the above named dependant(s):

YOU ARE HEREBY NOTIFIED that the above named plaintiff(s) demands of you

(1. If demand is for money, state amount;

2. If demand is for something else, state briefly what is

demanded and its value in money; 3. If both money and some-
..... based on
thing else are demanded, state both 1 and 2)

..... and that unless you
(state briefly the basis for the demand)

appear and defend before the above named court at

(Place)

in, Iowa, at o'clockM.

(City or Town)

on the day of, 19..... judgment will
be rendered against you for the relief demanded, together
with interest and court costs.

.....
Plaintiff(s)

Sec. 64. DUTIES OF CLERK. The clerk shall furnish forms of original notice. Before filing an original notice, the clerk shall receive a filing fee of two dollars plus the amount of postage for mailing the original notice to each defendant to which it is to be mailed. At the time of filing, the clerk shall enter on the original notice and the copies to be served, the file number, and the time and place of hearing, which shall be a time when small claims are scheduled to be heard not less than ten nor more than twenty days after the date on which the notice will be mailed or otherwise served. The clerk shall mail a copy of the original notice to each defendant by restricted certified mail, return receipt to the clerk requested, except for defendants whom the plaintiff wishes to serve under the rules of civil procedure pertaining to commencement of actions.

Sec. 65. FEES AND COSTS. Fees and costs shall be

one-half of fees and costs in regular civil actions in district court. All fees and costs collected for small claims shall be remitted to county treasurers as provided in section six hundred six point sixteen (606.16) of the Code.

Sec. 66. PLEADINGS AND MOTIONS. Except as provided in section sixty-three (63) and section sixty-seven (67) of this Act, there shall be no written pleadings or motions unless the court in the interests of justice requires them, in which event they shall be similar in form to the original notice.

Sec. 67. PROCEDURE.

1. The rules of civil procedure pertaining to action, joinder of actions and parties and rule seventy-five (75) of the rule of civil procedure shall be applicable to small claims actions, except that rule twenty-nine (29) shall not apply to actions originating as small claims actions.

2. In small claims actions, if a party joins a small claim with one which is not a small claim, the court shall:

a. Order the small claim to be heard under this division and dismiss the other claim without prejudice, or

b. As to parties who have appeared or are existing parties, either (1) order the small claim to be heard under the procedures specified in this Act and the other claim to be tried by regular procedure or (2) order both claims to be tried by regular procedure.

3. In small claims actions, a counterclaim, cross claim, or intervention in the amount of a small claim shall be in writing and similar in form to the original notice, and shall be entitled original notice of counterclaim, of cross claim, or of intervention, as the case may be. A copy shall be filed for each existing party. New parties may be brought in without order and shall be served with notice as provided in section sixty-two (62) and section sixty-three (63) of this Act; and if notice is to be served by mail the clerk shall collect the costs of mailing before filing the pleading. The clerk shall furnish forms of such pleadings. No counterclaim is necessary to assert an offset arising out of the subject to the plaintiff's claim.

4. In small claims actions, a counterclaim, cross claim, or intervention in a greater amount than that of a small claim shall be in the form of a regular pleading. A copy shall be filed for each existing party. New parties, when permitted by order, may be brought in under rule thirty-four (34) of the rules of civil procedure and shall be given notice under the rules of civil procedure pertaining to announcement of actions. The court shall either order such counterclaim, cross claim, or intervention to be tried by regular procedure and the other claim to be heard

under this division, or order the entire action to be tried by regular procedure.

5. In regular action, when a party joins a small claim with one which is not a small claim, regular procedure shall apply to both unless the court transfers the small claim to the small claims docket for hearing under this division.

6. In regular actions, a counterclaim, cross claim, or intervention in the amount of a small claim shall be pleaded, tried, and determined by regular procedure, unless the court transfers the small claim to the small claims docket for hearing under this division.

7. Pleadings which are not in correct form under this section shall be ordered amended so as to be in correct form; but a small claim which is proceeding under this Act need not be amended although in the form of a regular pleading.

8. Copies of any papers filed by the parties which are not required to be served, shall be mailed or delivered by the clerk as provided in rule eighty-two (82) of the rules of civil procedure.

Sec. 68. **PROPER NOTICE DETERMINED.** At the time for hearing the court or clerk shall first determine that proper notice has been given a party before proceeding further as to him, unless he has appeared or is an existing party, and also that the action is properly brought as a small claim.

Sec. 69. **FAILURE TO APPEAR—EFFECT.** Unless good cause to the contrary is shown, if the parties fail to appear at the time of hearing the claim shall be dismissed without prejudice by the court or clerk; if the plaintiff fails to appear but the defendant appears, the claim shall be dismissed with prejudice by the court or clerk; and if the plaintiff appears but the defendant fails to appear, judgment shall be rendered against the defendant by the court, or by the clerk if the relief to be granted is readily ascertainable. The filing by the plaintiff of a verified account, or an instrument in writing for the payment of money with an affidavit the same is genuine, shall constitute an appearance by plaintiff for the purpose of this rule. At the request of either party, the court shall grant such party one continuance to a day certain.

Sec. 70. **HEARING.** The time for appearance shall be the time for hearing, unless a continuance has been granted under section sixty-nine (69) of this Act. The hearing shall be to the court, shall be simple and informal, and shall be conducted by the court itself, without regard to technicalities of procedure; but the decision must be based on substantial evidence. The court shall swear the parties and their witnesses, and examine them in such way as to bring out the truth. The parties may participate, either personally or by attorney. The court may continue the hearing from time to time if justice requires. The proceedings shall

not be reported unless a party provides a reporter at his own expense or the parties by agreement cause the proceedings to be electronically reported, but there shall be no delay for such purpose.

Sec. 71. ENTRY OF JUDGMENT.

1. The judgment shall be entered in a space on the original notice first filed, and the clerk shall immediately enter the judgment in the small claims docket and district court lien book, without recording. Such relief shall be granted as is appropriate. The court may enter judgment for installment payments to be made directly by the party obligated to the party entitled thereto; and in such event execution shall not issue as long as such payments are made but execution shall issue for the full unpaid balance of the judgment upon the filing of an affidavit of default. When entered on the small claims docket and district court lien book, a small claims judgment shall constitute a lien to the same extent as regular judgments entered on the district court judgment docket and lien book; but if a small claims judgment requires installment payments, it shall not be enforceable until an affidavit of default is filed, whereupon it shall constitute a lien for the full unpaid balance of the judgment.

2. Unless the hearing is reported, minutes of the testimony of each witness and of any stipulations of the parties shall likewise be entered on the original notice first filed and the exhibits or copies thereof shall be attached to the original notice or be filed, until released by the court.

Sec. 72. CIVIL APPEALS. Civil appeals from judgments of judicial magistrates and district associate judges may be taken orally at the conclusion of the trial or hearing or by filing with the judicial magistrate or district associate judge a written notice of appeal within twenty days after the judgment is rendered. An appeal may be taken by any party. The magistrate or judge shall note the notice of appeal on the original notice first filed, or if the notice of appeal is in writing promptly file it with the clerk. Within twenty days after an appeal is taken, unless extended by order of a district judge or by stipulation of the parties, any party may file with the clerk as part of the record a transcript of the official report, if any, and in the event the report was made electronically, the tape or other medium on which the proceedings were preserved. A district judge shall promptly hear the appeal upon the record thus filed without further evidence; and the judge shall decide the appeal without regard to technicalities or defects which have not prejudiced the substantial rights of the parties, and may affirm, reverse, or modify the judgment or render judgment as the magistrate should have rendered. Execution of a judgment of a judicial magistrate or district associate judge shall be stayed upon the filing with the clerk

of the district court an appeal bond with surety approved by the clerk, in the sum specified in the judgment.

Sec. 73. DISCRETIONARY REVIEW BY SUPREME COURT.

1. No judgment of conviction of a nonindictable misdemeanor or civil actions tried as small claims shall be appealed to the supreme court except by discretionary review as provided herein. No judgment of acquittal of a nonindictable misdemeanor may be reviewed.

2. "Discretionary review" is the process by which the supreme court may exercise its discretion, in like manner as under the rules pertaining to interlocutory appeals and certiorari in civil cases, to review specified matters not subject to appeal as a matter of right. The supreme court may adopt additional rules to control access to discretionary review.

3. The party seeking review shall be known as the appellant and the adverse party as the appellee, but the title of the action shall not be changed from that in the court below.

4. When defendants are tried jointly, they may seek discretionary review separately or they may join. The supreme court may, in the interest of justice, consolidate applications for discretionary review.

5. A petition for review shall be filed in writing with the clerk of the court within ten days after judgment.

6. When an application is made for discretionary review, it is the duty of the applicant to serve on the attorney for the adverse party, and if the state is the adverse party, upon the attorney general, a copy of the application within ten days after judgment.

7. When an application for discretionary review is filed, the clerk of the court in which the judgment or order was rendered shall:

a. Immediately prepare and transmit to the adverse party and his attorney of record a true copy of the application, together with the date of filing.

b. Immediately prepare and transmit to the clerk of the supreme court a transcript of all record entries relevant to the application, together with copies of all papers in the case on file in his office, a transcript of the official report, if any, and in the event the report was made electronically, the tape or other medium on which the proceedings were preserved, all duly certified under seal of his court.

Failure of the clerk of the district court to transmit all the papers as required by this subsection shall not prejudice the rights of the parties.

8. The record and case shall be presented to the supreme court as provided by its rules; and the provisions of law in civil procedure relating to the filing of decisions and opinions of the supreme court shall apply in such cases.

9. An application shall not be dismissed for an informality or defect in taking it if corrected as

directed by the supreme court. The supreme court, after an examination of the entire record, may dispose of the case by affirmation, reversal or modification of the lower court judgment. It may also dismiss the application if it (a) determines that there has been no substantial miscarriage of justice, and (b) no violation of the rights of an accused, and that (c) the arguments do not present definite grounds for a hearing. The supreme court may also order a new trial, or modify the judgment; provided, however, in criminal cases the punishment may not be increased.

10. In all criminal actions:

a. When an application has been filed by an adverse party, the county attorney shall immediately furnish the attorney general with a copy of said application.

b. An application for discretionary review taken by the defendant does not stay the execution of the judgment unless the defendant is released on bail or otherwise as provided by law.

c. The personal appearance of the defendant in the supreme court upon the hearing of a matter of discretionary review, is in no case necessary.

d. If a judgment against the defendant is reversed, such reversal shall be deemed an order for a new trial, unless the supreme court shall direct a different disposition. In reversing the case, the supreme court may direct that the defendant be discharged and his bail exonerated, or if money is deposited instead, that it be returned to him.

e. On a judgment of affirmance against the defendant, the original judgment shall be carried into execution as the supreme court shall direct.

f. Unless some proceeding in the district court is directed, a copy of the judgment of the trial court and decision on review, or of the judgment and decision on review certified by the clerk of the trial court shall be delivered to the sheriff or proper officer as an execution. He shall be authorized to execute the judgment of the court, or take any legal measures required to bring the action to a conclusion.

g. A defendant, imprisoned during the pendency of an unsuccessful review, or convicted at a new trial ordered by the supreme court, shall have the period of his former imprisonment deducted from the period of imprisonment fixed on the last verdict of conviction by the district court.

11. The decision of the supreme court with any opinion filed or judgment rendered must be recorded by its clerk. After the expiration of the period allowed for a rehearing, or as ordered by the court or provided by its rules, a certified copy of the decision and opinion shall be transmitted to the clerk of the trial court, filed and entered of record by him.

12. The jurisdiction of the supreme court shall cease after the certified copy of the decision and

opinion is transmitted to the clerk of the trial court. All proceedings for executing the judgment shall be had in the trial court or by its clerk.

JURISDICTION OF PUBLIC OFFENSES AND PLACE OF TRIAL

Sec. 74. STATE CRIMINAL JURISDICTION.

1. A person is subject to prosecution in this state for an offense which he commits within or outside this state, by his own conduct or that of another for which he is legally accountable, if:

- a. The offense is committed either wholly or partly within this state.
- b. Conduct of the person outside the state constitutes an attempt to commit an offense within this state.
- c. Conduct of the person outside the state constitutes a conspiracy to commit an offense within this state.
- d. Conduct of the person within this state constitutes an attempt, solicitation or conspiracy to commit an offense in another jurisdiction, which conduct is punishable under the laws of both this state and such other jurisdiction.

2. An offense may be committed partly within this state if conduct which is an element of the offense, or a result which constitutes an element of the offense, occurs within this state. If the body of a homicide victim is found within the state, the death is presumed to have occurred within the state.

3. An offense which is based on an omission to perform a duty imposed upon a person by the law of this state is committed within the state, regardless of the location of the person at the time of the omission.

Sec. 75. PLACE OF TRIAL—GENERAL. Criminal actions shall be tried in the county in which the crime is committed, except as otherwise provided by law. All objections to place of trial are waived by a defendant unless he objects thereto prior to trial.

Sec. 76. PLACE OF TRIAL—SPECIAL PROVISIONS. The following special provisions apply:

1. If conduct or results which constitute elements of an offense occur in two or more counties, prosecution of the offense may be had in any of such counties. In such cases, where a dominant number of elements occur in one county, that county shall have the primary right to proceed with prosecution of the offender.

2. If an offense commenced outside the state is consummated within this state, trial of the offense shall be held in the county or counties in which the offense is consummated or the interest protected by the involved penal statute is impaired.

3. If an offense is committed in or upon any conveyance in transit, and it cannot readily be determined in which county the offense was committed, trial of the offense may be held in any county through or over which the conveyance passed in the course of

its journey.

4. If an offense is committed on the boundary of two or more counties, and it cannot readily be determined within which county the commission took place, trial of the offense may be held in any of the counties concerned.

5. If the offense is a traffic offense, section fifty-nine (59) of this Act shall be applicable.

Sec. 77. BAR TO ACTION. A conviction or acquittal of an offense in a court having jurisdiction thereof is a bar to a prosecution of the offense in another court.

COORDINATING AMENDMENTS

Sec. 78. Section fourteen point ten (14.10), subsection three (3), Code 1971, is amended to read as follows:

3. The secretary of state shall prepare and deliver to the Code editor for insertion in the session laws a correct list of state officers and deputies, judges of the supreme[, district, superior, and municipal courts] and district courts including district associate judges, and judicial magistrates, and members of the general assembly.

Sec. 79. Section sixteen point twenty-four (16.24), subsections five (5) and sixteen (16), Code 1971, are amended to read as follows:

5. [To each judge of the supreme, district, superior, and municipal courts of Iowa] To each judge of the supreme and district court including each district associate judge and each judicial magistrate.....1 copy

16. To the clerk of the district court, the county attorney, the county auditor, the county recorder, county assessor, the county treasurer, the sheriff, and the county superintendent of each county in the state, [to the clerk of each superior or municipal court in the state, and also for use in each court room of the district, superior, or municipal court] and also for use in each courtroom of the district court1 copy

Sec. 80. Section sixteen point twenty-five (16.25), subsections five (5), six (6), and twelve (12), Code 1971, are amended to read as follows:

5. To the office of each judge of the supreme[, district, superior, and municipal courts, and the federal] and district courts, and of the federal] and district and judicial magistrates, and to each judge of the federal courts in Iowa1 copy

6. To the office of each clerk of the federal courts in this state, and of the supreme[, district, superior and municipal courts of this state] and district courts of this state1 copy

12. To each court room of the district[,

superior, and municipal] courts1 copy

Sec. 81. Section thirty-nine point twenty-one (39.21), Code 1971, is repealed. This section shall take effect July 1, 1972.

Sec. 82. Section forty-three point three (43.3), Code 1971, is amended to read as follows:

43.3 OFFICES AFFECTED BY PRIMARY. Candidates of all political parties for all offices which are filled at a regular biennial election by direct vote of the people[, except the office of judge of the supreme and district courts,] shall be nominated at a primary election at the time and in the manner hereinafter directed.

Sec. 83. Section forty-six point twenty (46.20), Code 1971, is amended to read as follows:

46.20 DECLARATION OF CANDIDACY. At least ninety days prior to the judicial election preceding expiration of his initial or regular term of office, a judge of the supreme court or district court including district associate judges may file a declaration of candidacy with the secretary of state, whereupon such judge shall stand for retention or rejection at that election. If a judge fails to file such declaration, his office shall be vacant at the end of his term. District associate judges filing such a declaration shall stand for retention in the county of their residence.

Sec. 84. Section forty-six point twenty-one (46.21), Code 1971, is amended to read as follows:

46.21 CONDUCT OF ELECTIONS. At least fifty-five days prior to each judicial election, the secretary of state shall certify to the county auditor of each county a list of the judges of the supreme court and district court including district associate judges to be voted on in such county at that election. The auditor shall place the names upon the ballot in the order in which they appear in the certificate, unless only one county is voting thereon. The secretary of state shall rotate the names in the certificate by county, or the auditor shall rotate them upon the ballot by precinct if only one county is voting thereon. The names of all judges to be voted on shall be placed upon one ballot, which shall be in substantially the following form:

STATE OF IOWA
JUDICIAL BALLOT

(Date)

VOTE ON ALL NAMES BY PLACING AN X IN THE APPROPRIATE BOX

AFTER EACH NAME.

SUPREME COURT

Shall the following judges of the Supreme Court be retained in office?

JOHN DOE	YES.....	NO.....
RICHARD ROE	YES.....	NO.....

DISTRICT COURT

Shall the following judge or associate judge of the District Court be retained in office?

JOHN SMITH

YES.....

NO.....

Sec. 85. Section forty-six point twenty-four (46.24), Code 1971, is amended to read as follows:

46.24 RESULTS OF ELECTION. A judge of the supreme court or district court *including district associate judge* must receive more affirmative than negative votes to be retained in office. When the poll is closed, the election judges shall publicly canvass the vote forthwith. The board of supervisors shall canvass the returns at its meeting on Monday after the election, and shall promptly certify the number of affirmative and negative votes on each judge to the secretary of state.

The state board of canvassers shall, at the time of canvassing the vote cast at a general election, open and canvass all of the returns for the judicial election. Each judge of the supreme court or district court *including district associate judge* who has received more affirmative than negative votes shall receive from the state board of canvassers an appropriate certificate so stating.

Sec. 86. Section forty-nine point one hundred six (49.106), Code 1971, is amended to read as follows:

49.106 MAY COMMIT DISORDERLY PERSON. Any [constable or special] policeman may forthwith arrest such person and bring him before the judges of election, and they, by a warrant under their hands, may commit him to the jail of the county for a term not exceeding twenty-four hours, but they shall permit him to vote.

Sec. 87. Section forty-nine point one hundred sixteen (49.116), Code 1971, is amended to read as follows:

49.116 PRESERVING ORDER. All special policemen [and constables] are authorized and required to preserve order and peace at all places of election, and such special policemen[, constables,] and all other persons are authorized and required to obey the lawful orders and commands of said judges of election given to prevent violations of this chapter.

Sec. 88. Section fifty point twenty-one (50.21), Code 1971, is amended to read as follows:

50.21 ABSTRACTS OF VOTES—CERTIFICATES OF ELECTION.

The tally lists shall be opened in the presence of all the canvassers, and an abstract of votes made and signed by them, and the result declared, and a certificate of election signed by them giving the candidates elected. If the mayor shall have been a candidate at such election, [a justice of the peace] *a qualified elector of the city not a candidate* of the county, selected by the clerk, shall act with him in making the canvass.

Sec. 89. Section fifty point twenty-five (50.25), Code 1971, is amended by striking subsection seven (7).

Sec. 90. Section sixty-two point four (62.4), Code

1971, is amended to read as follows:

62.4 SHERIFF TO ATTEND. The court or presiding judge may direct the attendance of the sheriff or a [constable] *deputy* when necessary.

Sec. 91. Section sixty-two point twenty-five (62.25), Code 1971, is amended by striking the section and inserting in lieu thereof the following:

"A transcript of the judgment may be filed and recorded in the office of the clerk of the district court and shall have the effect of a judgment of that court and execution may issue thereon."

Sec. 92. Section sixty-four point one (64.1), Code 1971, is amended by striking subsection four (4) and inserting in lieu thereof the following:

"Judges of the supreme and district courts, district associate judges, and judicial magistrates."

Sec. 93. Section sixty-four point six (64.6), Code 1971, is amended by adding the following new subsection:

"Judicial magistrates, five thousand dollars."

Sec. 94. Section sixty-four point eight (64.8), Code 1971, is amended to read as follows:

64.8 COUNTY OFFICERS. The bonds of the following county officers, viz.: Clerks of the district courts, county attorneys, recorders, auditors, superintendents of schools, sheriffs, [justices of the peace, and constables,] and assessors shall each be in a penal sum to be fixed by the board of supervisors.

Sec. 95. Section sixty-four point nine (64.9), Code 1971, is amended to read as follows:

64.9 MINIMUM BONDS OF COUNTY OFFICERS. Bonds of members of the board of supervisors, clerks of the district courts, county auditors, sheriffs, and county attorneys shall not be in less sum than five thousand dollars each[, and those of justices and constables, not less than five hundred dollars each].

Sec. 96. Section sixty-four point twenty-three (64.23), subsection five (5), Code 1971, is amended to read as follows:

5. For members of the board of supervisors, [and for justices of the peace,] with the clerk of the district court.

Sec. 97. Section sixty-four point twenty-four (64.24), subsection two (2), Code 1971, is amended to read as follows:

2. In the record kept by the county auditor, the official bonds of all county officers, elective or appointive, [justices of the peace,] and township clerks[, and constables].

Sec. 98. Section sixty-eight point one (68.1), Code 1971, is amended to read as follows:

68.1 IMPEACHMENT DEFINED. An impeachment is a written accusation against the governor, or a judge of the supreme[,] or district[, or superior] court, or other state officer, by the house of representatives before the senate, of a misdemeanor or malfeasance in office.

Sec. 99. Section sixty-nine point eight (69.8), subsection four (4), Code 1971, is amended to read as follows:

4. COUNTY OFFICES. In county offices, [including justices of the peace and constables,] by the board of supervisors.

Sec. 100. Section seventy-eight point one (78.1), Code 1971, is amended to read as follows:

78.1 GENERAL AUTHORITY. The following officers are empowered to administer oaths and to take affirmations:

1. [Judges of the supreme, district, superior, municipal, and police courts.] *Judges of the supreme and district courts, including district associate judges and judicial magistrates.*

2. Official court reporters of district[, superior, and municipal] courts in taking depositions under appointment or by agreement of counsel.

3. Clerks and deputy clerks of the supreme[,] and district[, superior, police, and municipal] courts.

[4. Justices of the peace within the county of their residence.]

4. [5.] Notaries public within the county of their appointment, and within any county in which they have filed with the clerk of the district court of said county a certified copy of their certificate of appointment.

5. [6.] Examiners appointed by the state commerce commission under the provisions of section 474.19.

6. [7.] Certified shorthand reporters.

Sec. 101. Section seventy-nine point thirteen (79.13), Code 1971, is amended to read as follows:

79.13 PARTICULARS REQUIRED. The board of supervisors shall not approve any claim for mileage or other traveling expenses presented by any peace officer including the sheriff and his deputies [and municipal court bailiffs and deputy bailiffs,] unless the destinations, and number of miles covered in each trip are given, or, in the case of extended trips, unless railroad, hotel, and other traveling expenses, excepting meals, are verified by receipts.

Sec. 102. Section eighty-five point sixty-two (85.62), unnumbered paragraph one (1), Code 1971, is amended to read as follows:

85.62 PEACE OFFICERS. Any policeman (except those pensioned under the policemen's pension fund created by law), any sheriff, marshal, [constable,] state highway patrolman, conservation officer, and any and all of their deputies and any and all other legally appointed or elected law-enforcing officers, who shall sustain an injury while performing the duties of a law-enforcing officer and from causes arising out of and in the course of his official duty, or employment as a law-enforcing officer, become temporarily or permanently physically disabled or if said injury results in death shall be

entitled to compensation for all such injuries or disability together with statutory medical, nursing, hospital, surgery and funeral expenses, and where the officer is paid from public funds said compensation shall be paid out of the general fund of the state.

Sec. 103. Section ninety-eight point five (98.5), Code 1971, is amended to read as follows:

98.5 VIOLATION. Any minor under eighteen years of age refusing to give information as required by section 98.4 shall be guilty of a misdemeanor. Said minor shall be certified by the magistrate [or justice of the peace] before whom the case is tried, to the juvenile court of the county for such action as said court shall deem proper.

If any minor having been convicted of violating section 98.4 shall give information which shall lead to arrest of the person or persons having violated any of the provisions of section 98.2 and shall give evidence as a witness in any proceedings that may be prosecuted against said person or persons, the court in its discretion may suspend sentence against the offending minor.

Sec. 104. Section one hundred fifteen point four (115.4), Code 1971, is amended to read as follows:

115.4 WHO ELIGIBLE. No person shall be appointed to the position of shorthand reporter of any district[, superior, or municipal] court in this state, unless he be a certified shorthand reporter who has been found competent to report court proceedings, references, or proceedings of like character, by the board of examiners provided for in this chapter.

Sec. 105. Section one hundred twenty-three point fifty-three (123.53), unnumbered paragraph two (2), Code 1971, is amended to read as follows:

In order that the said commission may be provided with the necessary information to make out the report required by this chapter, it shall be the duty of every [justice of the peace, police court, mayor's court and every] clerk of a court of record in this state to forward to said commission during the month of July of each year a full and complete report of each case commenced in [the court of such justice, police court, mayor's court, or] any court of record, in which a violation of this chapter or any other law of this state pertaining to alcoholic liquors or beer was charged, and the disposition of the same.

Sec. 106. Section one hundred thirty point twenty-six (130.26), Code 1971, is amended to read as follows:

130.26 PRESERVATION AND INSPECTION. The permit holder shall preserve the stubs in book form and shall keep them at all times, subject to the inspection of the pharmacy examiners, the county attorney, any grand jury, or peace officer[, or justice of the peace] in the county in which the permit is in force.

Sec. 107. Section one hundred eighty-eight point

twenty-eight (188.28), Code 1971, is amended to read as follows:

188.28 PROOF OF SERVICE. Immediately after the expiration of said ten days of posting, the person taking up the estray shall, unless such estray has been previously claimed by the owner, file with [a justice of the peace in the township in which the estray was taken up, or, in case there is no justice in the township, then with the next nearest justice in the county] *the county auditor* his affidavit which shall show:

1. The time and place of taking up such estray.
2. The time and places of posting said notice, together with a copy of said notice.
3. That said animal remains unclaimed.
4. Whether the marks or brands of said animal have been altered to his knowledge, either before or after the same was taken up.

Sec. 108. Section one hundred eighty-eight point thirty-two (188.32), Code 1971, is amended to read as follows:

188.32 FEES AND EXPENSES. The person taking up an estray shall pay [to the justice of the peace, with whom the affidavit is filed, the legal fees due the said justice, and] the legal fees due to the county auditor for entering said affidavit in the estray book, and posting and publishing the same, which amounts, together with the compensation provided by law, shall be refunded to the person taking up such estray by the owner thereof in case the animal is restored to the owner.

Sec. 109. Section one hundred eighty-eight point forty-seven (188.47), Code 1971, is amended to read as follows:

188.47 BOND TO RELEASE. Before any property held under this chapter is sold under distraint, or before the title to an estray vests in the taker-up, it may be released at once upon the owner giving to the distrainer or taker-up a bond, with sureties, to be approved by the township clerk[, justice of the peace] or county auditor, before whom the matter is then pending, conditioned to pay to the holder of the property, within twenty days after such approval, all costs, damages, and compensation to which he is entitled. In case the obligee in said bond is compelled to begin action on such bond, the court may tax a reasonable attorney's fee in favor of such obligee.

Sec. 110. Section one hundred eighty-eight point forty-eight (188.48), Code 1971, is amended by striking subsection seven (7).

Sec. 111. Section one hundred eighty-nine point eight (189.8), Code 1971, is amended to read as follows:

189.8 WITNESSES. In the enforcement of the provisions of this title the department shall have power to issue subpoenas for witnesses, enforce their

attendance, and examine them under oath. Such witnesses shall be allowed the same fees as witnesses in [justice of the peace courts] *district court*. Said fees shall be paid out of the contingent fund of the department.

Sec. 112. Section two hundred one point eleven (201.11), unnumbered paragraph two (2), Code 1971, is amended to read as follows:

In all litigation arising from the purchase, sale, or disposal of any agricultural lime, limestone, or aglime, in which the composition of the same may be involved, a certified copy of the official analysis shall be accepted as prima-facie evidence of the composition of such agricultural lime, limestone, or aglime. The possession of agricultural lime, limestone, or aglime, in any building, room, railroad equipment, store, storeroom, warehouse, truck, or other place within this state, except by a person who has the same for his private use, without complying with the provisions of this chapter relative to agricultural lime, shall be prima-facie evidence of keeping the same for the purpose of selling or disposal. [In all prosecutions under this chapter, a justice of the peace, police judge, or mayor shall have jurisdiction with the right of appeal to the district court by certiorari.]

Sec. 113. Section two hundred three A point six (203A.6), subsection two (2), Code 1971, is amended to read as follows:

2. When an article detained or embargoed under subsection 1 has been found by such agent to be adulterated or misbranded, he shall petition the judge of the [municipal, or] district court in whose jurisdiction the article is detained or embargoed for a libel for condemnation of such article. When such agent has found that an article so detained or embargoed is not adulterated or misbranded, he shall remove the tag or other marking.

Sec. 114. Section two hundred twenty-two point sixteen (222.16), Code 1971, is amended to read as follows:

222.16 PETITION FOR ADJUDICATION OF RETARDATION.

A petition for the adjudication of the mental retardation of a person within the meaning of this chapter may, with the permission of the court be filed without fee against such person with the clerk of the district[, superior, or municipal] court of the county or city in which such alleged mentally retarded person resides or is found. The petition may be filed by any relative of such person, by a guardian, or by any reputable citizen of the county of such residence or of such place of finding.

Sec. 115. Section two hundred twenty-two point fifty-three (222.53), Code 1971, is amended to read as follows:

222.53 CONVICTION—SUSPENSION. If on the conviction in the district[, superior, or municipal] court of any

person for any crime or for any violation of any municipal ordinance, or if on the determination in said courts that a child is dependent, neglected, or delinquent and it appears from any evidence presented to the court before sentence, that such person is mentally retarded within the meaning of this chapter, the court may suspend sentence or order, and may order any officer of the court or some other proper person to file a petition permitted under the provisions of this chapter against said person. Pending hearing of the petition, the court shall provide for the custody of said person as directed in section 222.52.

Sec. 116. Section two hundred twenty-five point ten (225.10), Code 1971, is amended to read as follows:

225.10 APPLICATION FOR ADMISSION. Persons suffering from mental diseases may be admitted as committed public patients as follows: Any physician authorized to practice his profession in the state of Iowa or any citizen of the state may file information with any district [or superior] court of the state or with any judge thereof, alleging that the person named therein is suffering from some abnormal mental condition that can probably be remedied by observation, treatment, and hospital care; and that he is, of himself or through those legally responsible for him, unable to provide the means for such observation and hospital care.

Sec. 117. Section two hundred twenty-five point eleven (225.11), Code 1971, is amended to read as follows:

225.11 MEDICAL EXAMINER. Said judge of the district [or superior] court *or the clerk of such court* may, upon his own motion or upon the information contained in such report filed as aforesaid, appoint some physician who shall personally examine said person with respect to his mental condition.

Sec. 118. Section two hundred twenty-five point fourteen (225.14), Code 1971, is amended to read as follows:

225.14 NOTICE—TRIAL AND ORDER. Upon the filing of such report or reports, said judge of the district [or superior] court as aforesaid shall fix a day for the hearing upon the complaint and shall cause the person or those legally responsible for him to be served with a notice of the hearing; and he shall also notify the county attorney, who shall appear and conduct the proceedings, and upon such complaint evidence may be introduced. Upon such hearing the person against whom the complaint is made shall be entitled to a trial by jury. If the judge or jury finds that the said person is suffering from an abnormal mental condition which can probably be remedied by observation, medical or surgical treatment, and hospital care, and that he, or those legally responsible for him, are unable to pay the expenses thereof, said judge shall enter an order directing that the said person shall be sent to

the state psychopathic hospital at the state University of Iowa for observation, treatment, and hospital care as a committed public patient.

Sec. 119. Section two hundred twenty-five point sixteen (225.16), unnumbered paragraph one (1), Code 1971, is amended to read as follows:

225.16 VOLUNTARY PUBLIC PATIENTS—COMMITMENT. If the said judge of the district [or superior] court or the clerk of the court, as aforesaid, finds from the physician's report which was filed under the provisions of section 225.12, that the said person is suffering from an abnormal mental condition which can probably be remedied by observation, medical or surgical treatment, and hospital care, and the report of the county attorney shows that he, or those legally responsible for him, are unable to pay the expenses thereof, said judge or clerk shall enter an order directing that the said person shall be sent to the state psychopathic hospital at the state University of Iowa for observation, treatment, and hospital care as a voluntary public patient; provided that the said person, or those legally responsible for him, request the said court or judge to commit said person without the hearing which is required under the provisions of section 225.14.

Sec. 120. Section two hundred twenty-five point seventeen (225.17), unnumbered paragraph one (1), Code 1971, is amended to read as follows:

225.17 COMMITTED PRIVATE PATIENTS—TREATMENT. If the said judge of the district [or superior] court, as aforesaid, finds in the hearing as provided for under the provisions of section 225.14 that the said person is suffering from an abnormal mental condition which can probably be remedied by observation, medical or surgical treatment, and hospital care, and that he, or those legally responsible for him, are able to pay the expenses thereof, said judge shall enter an order directing that said person shall be sent to the state psychopathic hospital at the state University of Iowa for observation, treatment, and hospital care as a committed private patient.

Sec. 121. Section two hundred twenty-five point eighteen (225.18), Code 1971, is amended to read as follows:

225.18 ATTENDANTS. The court or clerk may, in his discretion, appoint some person to accompany said committed public patient or said voluntary public patient or said committed private patient from the place where he may be to the state psychopathic hospital of the state University at Iowa City, or to accompany such patient from the said hospital to such place as may be designated by the court or clerk. If the patient be a female, the person appointed to accompany her must be a woman.

Sec. 122. Section two hundred twenty-five point

nineteen (225.19), Code 1971, is amended to read as follows:

225.19 COMPENSATION FOR ATTENDANT. Any person appointed by the court or judge *or clerk* to accompany said person to or from the hospital or to make an investigation and report on any question involved in the complaint, other than the physician making the examination, shall receive the sum of three dollars per day for the time actually spent in making such investigation (except in cases where the person appointed therefor receives a fixed salary or compensation) and his actual necessary expenses incurred in making such investigation or trip.

Sec. 123. Section two hundred twenty-five point twenty-one (225.21), Code 1971, is amended to read as follows:

225.21 VOUCHERS. The person making claim to such compensation shall present to the court or judge an itemized sworn statement thereof, and when such claim for compensation has been approved by the court or judge, *or clerk* the same shall be filed in the office of the county auditor and shall be allowed by the board of supervisors and paid from the state institutional fund.

Sec. 124. Section two hundred twenty-five point twenty-five (225.25), Code 1971, is amended to read as follows:

225.25 COMMITMENT OF PRIVATE PATIENT AS PUBLIC. If any patient be admitted to the state psychopathic hospital and thereafter an order of commitment of said patient as a public patient be made by the court or judge *or clerk* having jurisdiction thereof, the expense of keeping and maintaining said patient from the date of the filing of the information upon which said order is made shall be paid by the state.

Sec. 125. Section two hundred twenty-five point thirty (225.30), Code 1971, is amended to read as follows:

225.30 BLANKS—AUDIT. The medical faculty of the hospital of the college of medicine of the state University of Iowa shall prepare blanks containing such questions and requiring such information as may be necessary and proper to be obtained by the physician who examines the patient under order of court; and such blanks shall be printed by the state and a supply thereof shall be sent to the clerk of each district [and superior] court of the state. The state comptroller shall audit, allow, and pay the cost of the blanks as other bills for public printing are allowed and paid.

Sec. 126. Section two hundred thirty-one point one (231.1), Code 1971, is amended to read as follows:

231.1 JURISDICTION. There is hereby established in each county a juvenile court *within the district court*, which, [and the judges thereof,] shall have and exercise the jurisdiction and powers provided by law.

Sec. 127. Section two hundred thirty-one point two

(231.2), Code 1971, is amended by striking subsection two (2) and inserting in lieu thereof the following:

"Of the district associate judges if and as long as so designated by the chief judge of the district."

Sec. 128. Section two hundred thirty-one point three (231.3), Code 1971, is amended by striking unnumbered paragraph one (1) and inserting in lieu thereof the following:

"The chief judge of the district shall designate one or more of the district judges or district associate judges, or both, to act as judge or judges of the juvenile court in any county or counties."

Sec. 129. Section two hundred thirty-one point three (231.3), unnumbered paragraph one (1), Code 1971, is amended to read as follows:

"The judges of the district court may designate one of their number to act as judge of the juvenile court in any county or counties, and may designate a [superior or municipal court] *district associate* judge to act as judge of the juvenile court [in cases arising in any city in which any such court is organized and] in cases arising in any part of any county convenient thereto. [In counties having a population of one hundred thousand or over, unless said district judges designate a superior or municipal court judge to act as juvenile judge, they shall after each election, designate one of their number to act as juvenile judge for the ensuing four years.]"

Sec. 130. Section two hundred thirty-one point eight (231.8), unnumbered paragraph two (2), Code 1971, is amended to read as follows:

Probation officers may be appointed to serve two or more counties. The salaries of such officers and their deputies, if any, shall be fixed by the judges of the judicial district [containing] *who are designated juvenile court judges* for such counties and such salaries and the expenses of the probation offices shall be prorated among the counties served in such proportion as may be determined by said judges who shall in making such determination, consider the volume of work in the several counties. Such officers may be paid not to exceed sixty percent of the salary of a district court judge.

Sec. 131. Section two hundred forty-six point forty-six (246.46), Code 1971, is amended to read as follows:

246.46 WHO MAY VISIT. The following persons are authorized to visit said institutions at pleasure:

The governor, secretary of state, auditor of state, treasurer of state, secretary of agriculture, members of the general assembly, judges of the supreme[,] and district[, superior, and municipal] courts, *including district associate judges and judicial magistrates*, county attorneys, and all regular officiating ministers of the gospel. No other person shall be granted admission except by permission of the warden.

Sec. 132. Section two hundred forty-seven point

thirty (247.30), Code 1971, is amended by striking subsection sixteen (16) and inserting in lieu thereof the following:

16. All jurors' fees, jurors' meals, and witness fees paid by the county in all criminal cases before a judicial magistrate.

Sec. 133. Section two hundred fifty-two A point two (252A.2), subsection two (2), Code 1971, is amended to read as follows:

2. "Court" shall mean and include [a family court, domestic relations court, children's court, municipal court and] any [other] court, by whatever name known, in any state having reciprocal laws or laws substantially similar to this chapter upon which jurisdiction has been conferred to determine the liability of persons for the support of dependents within and without such state.

Sec. 134. Section two hundred fifty-five point eight (255.8), Code 1971, is amended to read as follows:

255.8 HEARING—ORDER—EMERGENCY CASES—CANCELLATION

OF COMMITMENTS. The attorney and the overseer of the poor, or other agent of the board of supervisors of the county where the hearing is held, shall appear thereat. The complainant, the county attorney, the overseer of the poor or other agent of the board of supervisors, and the patient, or any person representing him, or her, may introduce evidence and be heard. If the court finds that said patient is a legal resident of Iowa and is pregnant or is suffering from a malady or deformity which can probably be improved or cured or advantageously treated by medical or surgical treatment or hospital care, and that neither the patient nor any person legally chargeable with his or her support is able to pay the expenses thereof, then the clerk of court, except in obstetrical cases and cases of crippled children, shall immediately ascertain from the admitting physician at the university hospital whether such person can be received as a patient within a period of thirty days, and if the patient can be so received, the court, *or in the event of no actual contest, the clerk of the court*, shall then enter an order directing that said patient be sent to the university hospital for proper medical and surgical treatment and hospital care. If the court ascertain, excepting in obstetrical cases and orthopedic cases, that a person of the age or sex of the patient, or afflicted by the complaint, disease or deformity with which such person is affected cannot be received as a patient at the said university hospital within the period of thirty days, then he *or the clerk* shall enter an order directing the board of supervisors of the county to provide adequate treatment at county expense for said patient at home or in a hospital. Obstetrical cases and orthopedic cases may be committed to the

university hospital without regard to the limiting period of thirty days hereinbefore stated.

In any case of emergency the court or the clerk without previous inquiry may at its discretion order the patient to be immediately taken to and accepted by the university hospital for the necessary care as provided in section 255.11, but if such a patient cannot be immediately accepted at the university hospital as ascertained by telephone if necessary, the court or the clerk may enter an order as in certain cases above set forth directing the board of supervisors to provide adequate treatment at county expense for the said patient at home or in a hospital.

Sec. 135. Section two hundred fifty-five point thirteen (255.13), Code 1971, is amended to read as follows:

255.13 ATTENDANT—PHYSICIAN—COMPENSATION. If the physician appointed to examine the patient shall certify that an attendant to accompany the patient to the said hospital is necessary, and the university hospital attendant and ambulance service is not available, then the court or judge or clerk of the court may appoint an attendant who shall receive not exceeding two dollars per day for the time thus necessarily employed and actual necessary traveling expenses by the most feasible route to said hospital whether by ambulance, train or automobile; but if such appointee is a relative of the patient or a member of his immediate family, or receives a salary or other compensation from the public for his services, no such per diem compensation shall be paid him. The physician appointed by the court or clerk to make the examination and report shall receive therefor three dollars for each examination and report so made and his actual necessary expenses incurred in making such examination, but if said physician receives a salary or other compensation from the public for his full-time services, then no such examination fee shall be paid. The actual, necessary expenses of transporting and caring for the patient shall be paid as hereinafter provided.

Sec. 136. Section two hundred fifty-five point fourteen (255.14), Code 1971, is amended to read as follows:

255.14 EXPENSES—HOW PAID. An itemized, verified statement of all charges provided for in sections 255.8 and 255.13, in cases where the patient is admitted or accepted for treatment at the university hospital shall be filed with the superintendent of the university hospital, and upon his recommendation when approved by the judge or clerk of the court under whose order the same were incurred, they shall be charged on the regular bill for the maintenance, transportation and treatment of the patient, and be audited and paid in the manner as hereinafter provided.

Sec. 137. Section three hundred twenty-one point

one hundred ninety-three (321.193), unnumbered paragraph one (1), Code 1971, is amended to read as follows:

[The] *When provided in rules and regulations adopted pursuant to chapter 17A*, the department upon issuing an operator's or chauffeur's license shall have authority whenever good cause appears to impose restrictions suitable to the licensee's driving ability with respect to the type of vehicle or special mechanical control devices required on a motor vehicle which the licensee may operate or such other restrictions applicable to the licensee, including licenses issued under section 321.194, as the department may determine to be appropriate to assure the safe operation of a motor vehicle by the licensee.

Sec. 138. Section three hundred twenty-one point two hundred (321.210), unnumbered paragraph one (1), Code 1971, is amended to read as follows:

The department is hereby authorized to [suspend] *establish rules and regulations under the provisions of chapter 17A providing for the suspension of the license of an operator or chauffeur without preliminary hearing upon a showing by its records or other sufficient evidence that under the rules and regulations adopted by the department* the licensee:

Sec. 139. Section three hundred twenty-one point four hundred eighty-five (321.485), subsection one (1), Code 1971, is amended to read as follows:

1. Immediately arrest such person and take him before a magistrate [of the county in which the apparent violation occurred]; or

Sec. 140. Section three hundred twenty-one point four hundred eighty-five (321.485), subsection two (2), paragraph "a", Code 1971, is amended to read as follows:

a. Prepare in triplicate a written [summons] *citation to appear* in court containing the name and address of such person, the operator or chauffeur license number if any, the registration number if any of his vehicle, the offense charged, and the time when and place where such person shall appear in court[, which shall be within the county in which the offense charged is alleged to have been committed]; or

Sec. 141. Section three hundred twenty-one point four hundred eighty-seven (321.487), unnumbered paragraph one (1), Code 1971, is amended to read as follows:

321.487 VIOLATION OF PROMISE TO APPEAR. Any person willfully violating a [summons] *citation to appear* in court given as provided in this chapter, is guilty of a misdemeanor, punishable as provided in section 321.482 regardless of the disposition of the charge upon which he was [summoned] *cited. Venue shall be in the county where the defendant was to appear or in the county where he resides.*

Sec. 142. Section three hundred twenty-one point four hundred ninety-one (321.491), unnumbered paragraph one (1), Code 1971, is amended to read as follows:

321.491 CONVICTIONS TO BE REPORTED. Every [magistrate or judge of a court not of record and every] *judicial magistrate and* clerk of a court of record shall keep a full record of every case in which a person is charged with any violation of this chapter or of any other law regulating the operation of vehicles on highways.

Sec. 143. Section three hundred thirty-three point eleven (333.11), Code 1971, is amended by striking subsection six (6).

Sec. 144. Section three hundred thirty-three point eleven (333.11), subsection fourteen (14), Code 1971 is amended to read as follows:

14. The amounts paid for the condemning of intoxicating liquors during the preceding year, also cost of convictions[, both in justice courts and] in the district court, for the violation of the laws relating to the sale of intoxicating liquors, together with the amount of fines collected for such violation and the amounts received as mulct tax, if any.

Sec. 145. Section three hundred thirty-seven point seven (337.7), Code 1971, is amended to read as follows:

337.7 BAILIFFS—APPOINTMENT—DUTIES. The sheriff shall attend upon the district court *judges, district associate judges, and judicial magistrates* of his county, and while [it remains] *they remain* in session he shall be allowed the assistance of such number of bailiffs as the judge *or magistrate* may direct. They shall be appointed by the sheriff and shall be regarded as deputy sheriffs, for whose acts the sheriff shall be responsible.

Sec. 146. Section three hundred forty-three point three (343.3), Code 1971, is amended to read as follows:

343.3 ACTING AS COUNSEL. No sheriff[,] *or* deputy sheriff[, or constable] shall appear in any court as attorney or counsel for any party, nor make any writing or process to commence any action or proceeding, or to be in any manner used in the same; and such writing or process made by any of them shall be rejected.

Sec. 147. Section three hundred forty-three point four (343.4), Code 1971, is amended to read as follows:

343.4 PURCHASE OF PROPERTY. No sheriff [,] *or* deputy sheriff[, or constable] shall become the purchaser, either directly or indirectly, of any property by him exposed to sale under any process of law; and every such purchase shall be void.

Sec. 148. Section three hundred forty-nine point sixteen (349.16), subsection one (1), Code 1971, is amended to read as follows:

1. The proceedings of the board of supervisors, excluding from the publication of said proceedings, its canvass of the various elections, as provided by law; witness fees of witnesses before the grand jury and in the district court in criminal cases; [the transcripts of justices of the peace, including their proceedings and cost;] the county superintendent's report.

Sec. 149. Section three hundred fifty-six point

twenty (356.20), Code 1971, is amended to read as follows:

356.20 VIOLATION OF CITY ORDINANCE. When the imprisonment is under the judgment of any court, [police court, police magistrate, mayor, or other tribunal of a city or town,] for the violation of any ordinance, bylaw, or other regulation thereof, the marshal shall superintend the labor, and furnish the tools and materials, if necessary, at the expense of the city or town requiring the labor, and such city or town shall be entitled to the earnings of its convicts.

Sec. 150. Section three hundred fifty-six point thirty-three (356.33), Code 1971, is amended by striking unnumbered paragraph one (1) and inserting in lieu thereof the following:

"District judges, district associate judges, and judicial magistrates, within their respective jurisdictional authority, may make all determinations and orders under these sections."

Sec. 151. Section three hundred fifty-nine point thirty-eight (359.38), Code 1971, is amended to read as follows:

359.38 WATCHMEN APPOINTED. Such trustees, directors, or other officers may appoint as many day and night watchmen of their grounds as they may think expedient, and such watchmen, and also all their sextons, superintendents, gardeners, and agents, stationed upon or near said grounds are hereby authorized to take and subscribe[, before any mayor of a city or justice of the peace of the township where such cemetery is situated, an oath of office, similar to that required by law of constables] *to an oath of office as provided in section 63.10 of the Code.*

Sec. 152. Section three hundred fifty-nine point thirty-nine (359.39), Code 1971, is amended to read as follows:

359.39 EX OFFICIO POLICE OFFICERS. Upon the taking of such oath, such watchmen, sextons, superintendents, gardeners, and agents shall have and exercise all powers of police officers within and adjacent to the cemetery grounds and each shall have power to arrest any and all persons engaged in violating the laws of this state, and to bring such person so offending before any [justice of the peace within such township] *judicial magistrate*, to be dealt with according to law.

Sec. 153. Section three hundred sixty-five point six (365.6), subsection one (1), Code 1971, is amended to read as follows:

365.6 APPLICABILITY—EXCEPTIONS.

1. The provisions of this chapter shall apply to all appointive officers and employees, including *former* deputy clerks and deputy bailiffs of the municipal court *who became deputies of the district court clerks and sheriffs*, in cities under any form of government having a population of more than fifteen

thousand except:

a. City clerk, deputy city clerk, city solicitor, assistant solicitor, assessor, treasurer, auditor, civil engineer, health physician, chief of police, assistant chief of police in departments numbering more than two hundred fifty members, market master, city manager and administrative assistants to the manager.

b. Laborers whose occupation requires no special skill or fitness.

c. Election officials.

d. Secretary to the mayor or to any commissioner.

e. Commissioners of any kind.

f. Casual employees.

Sec. 154. Section three hundred sixty-five point fifteen (365.15), unnumbered paragraph two (2), Code 1971, is amended to read as follows:

In cities under the commission form of government, by the superintendents of the respective departments, with the approval of the city council; in cities under the city manager plan, by the city manager; in all other cities with the approval of the city council, and in the police and fire departments by the chiefs of the respective departments[; and in the case of deputy clerks or deputy bailiffs of the municipal court, such appointments shall be made by the clerk or bailiff thereof respectively].

Sec. 155. Section three hundred sixty-eight point six (368.6), subsection five (5), Code 1971, is amended to read as follows:

5. SALES. Sales of auctioneers, bankrupt and dollar stores, and the like, and those of transient merchants, and to define by ordinance who shall be considered transient merchants; but the exercise of such power shall not interfere with sales made by sheriffs, [constables,] marshals, executors, guardians, assignees of insolvent debtors or bankrupts, or any other person required by law to sell real or personal property.

Sec. 156. Section three hundred sixty-eight A point two (368A.2), subsections one (1) and seven (7), Code 1971, are amended to read as follows:

1. EXECUTIVE OFFICER—[MAGISTRATE]. He [shall be a conservator of the peace, and], within the limits of the corporation, shall have all the powers conferred upon sheriffs to suppress disorders. He shall be the chief executive officer thereof, and it shall be his duty to enforce all regulations and ordinances; [he may, upon view, arrest anyone guilty of a violation thereof, or of any crime under the laws of the state, and shall, upon information supported by affidavit, issue process for the arrest of any person charged with violating any ordinance of the corporation;] shall supervise the conduct of all corporate officers, examine into the grounds of complaint made against them, and cause all neglect or violation of duty to be corrected, or report the same to the proper tribunal, that they may be dealt

with as provided by law.

7. **MAYOR PRO TEM.** He shall designate one member of the council as mayor pro tempore subject to the approval of a majority of the council. Said mayor pro tempore shall be vice-president of the council and give bond in the sum of five hundred dollars. In case of absence or inability of the mayor to act he shall perform all of the duties of the mayor except as otherwise herein provided. [In case of the absence or inability of the mayor to act, the mayor pro tempore may hold mayor's court in cases of ordinance violations.] If, at any meeting of the council, the mayor is not present, the mayor pro tempore shall act as presiding officer pro tempore and his acts as presiding officer pro tempore shall have the same force and legality as though performed by the duly elected mayor and he shall have the power to sign all resolutions and ordinances and execute all contracts or other documents finally adopted or approved at such meeting. The mayor pro tempore shall have no power to employ or discharge any officer or employee that the mayor has power to appoint or employ but said mayor pro tempore shall have the right to cast a vote as member of the council.

Sec. 157. Section three hundred sixty-eight A point seventeen (368A.17), Code 1971, is amended to read as follows:

368A.17 **THE MARSHAL.** The marshal shall be ex officio chief of police and may appoint one or more deputy marshals, who may perform his duties, and who, in cities of fifteen thousand or more population shall be members of the police force. He shall have the supervision and general direction of the police force, and shall be the ministerial officer of the corporation. He shall suppress all riots, disturbances, and breaches of the peace, arrest all disorderly persons in the city or town and all persons committing any offense against the ordinances thereof, and forthwith bring such persons before the proper court for examination or trial. He shall pursue and arrest any person fleeing from justice, and shall diligently enforce all laws, ordinances, and regulations for the preservation of the public welfare and good order, and shall have the same powers and duties as [constables] *the sheriff* in similar cases. He shall [attend upon the sittings of the mayor's and police court, and] execute within the county and return all writs and other processes directed to him therefrom.

Sec. 158. Section four hundred four point eight (404.8), Code 1971, is amended by striking subsection four (4).

Sec. 159. Section four hundred eleven point three (411.3), subsection three (3), Code 1971, is amended by striking the subsection.

Sec. 160. Section four hundred thirteen point one hundred fourteen (413.114), Code 1971, is amended to read as follows:

413.114 INJUNCTION. In any such action or proceeding said health officer may by petition duly verified, setting forth the facts, apply to the district[, superior, or municipal] court for an order granting the relief for which said action or proceeding is brought, or for an order enjoining all persons from doing or permitting to be done any work in or about such dwelling, building, structure, or lot, or from occupying or using the same for any purpose until the entry of final judgment or order.

Sec. 161. Section four hundred thirteen point one hundred fifteen (413.115), Code 1971, is amended to read as follows:

413.115 AUTHORITY TO EXECUTE. In case any notice or order issued by said health officer is not complied with, said health officer may apply to the district[, superior, or municipal] court for an order authorizing him to execute and carry out the provisions of said notice or order, to correct any violation specified in said notice or order, or to abate any nuisance in or about such dwelling, building, or structure or the lot upon which it is situated.

Sec. 162. Section four hundred fifteen point three (415.3), Code 1971, is amended to read as follows:

415.3 ORDINANCE—VIOLATIONS. Any building or structure erected, altered, repaired, or used in violation of any ordinance passed under the authority of sections 415.1 and 415.2, shall be deemed a nuisance, and every such city or town is hereby empowered to provide by ordinance for the abatement of such nuisance, either by fine or imprisonment, or by action in the district [or municipal] court of the county in which such city or town is located, or by both; such action to be prosecuted in the name of the city or town.

Sec. 163. Section four hundred twenty point fifteen (420.15), Code 1971, is amended to read as follows:

420.15 COMPENSATION OF MAYOR. The mayor shall receive such salary as may be provided by ordinance[, and in addition he shall receive for holding a mayor's or police court, or discharging the duties of a justice of the peace, the compensation allowed by law for similar services by such officers, to be paid in the same manner, which amount shall be in full compensation of all such services].

Sec. 164. Section four hundred twenty point thirty-eight (420.38), Code 1971, is amended to read as follows:

420.38 ACTION TO RECOVER. Fines and penalties may in all cases be recovered by action before a [justice of the peace or other] court of competent jurisdiction, and in the name of the proper municipal corporation. In any such action, where pleading is necessary, it shall be sufficient to declare generally for the amount claimed to be due in respect to the violation of the ordinance, referring to its title and the date of its adoption or passage, and showing, as near as may be,

the facts of the alleged violation.

Sec. 165. Section four hundred twenty point one hundred eighty-two (420.182), Code 1971, is amended to read as follows:

420.182 WARRANT. Whenever the board of health shall think it necessary for the preservation of the lives or the health of the inhabitants to enter a place, building, or vessel within its jurisdiction, for the purpose of examining into and destroying, removing, or preventing any nuisance, source of filth, or cause of sickness, and shall be refused such entry, any member of the board may make complaint, under oath, before any [justice of the peace, or other] judicial officer having jurisdiction to enforce the ordinances of such city, stating the facts of the case so far as he has knowledge thereof. Such officer shall thereupon issue a warrant, directed to the sheriff [or any constable] [of the county], marshal or public officer, commanding him to take sufficient aid and, being accompanied by two or more members of said board, between the hours of sunrise and sunset, repair to the place where such nuisance, source of filth, or cause of sickness may be, and destroy, remove, or prevent the same under the direction of such members of the board.

Sec. 166. Section four hundred twenty point one hundred eighty-five (420.185), Code 1971, is amended to read as follows:

420.185 WARRANT. Any [justice of the peace, or] tribunal having jurisdiction to enforce the ordinances of such city, on application under oath, showing cause therefor, by any member of said board, shall issue his warrant, directed to the sheriff [or constable] of the county or marshal or police officer, commanding him, under the directions of the board, to remove any person infected with contagious disease, or to take possession of condemned houses and lodgings, and to provide nurses and attendants and other necessaries for the care, safety, and relief of the sick.

Sec. 167. Section four hundred forty-five point forty-nine (445.49), Code 1971, is amended to read as follows:

445.49 SHERIFF [OR CONSTABLE] AS COLLECTOR. In the discharge of his duties as collector, should it become necessary to make the delinquent taxes by distress and sale, or should no collector be appointed, or should the collector fail to institute proceedings to collect said delinquent taxes, the treasurer shall place the same in the hands of the sheriff[, or a constable,] who shall proceed to collect the same[, and either shall be entitled to receive the same compensation, in addition to the five percent, as constables are entitled to receive for the sale of property on execution].

Sec. 168. Section four hundred fifty point forty-one (450.41), Code 1971, is amended to read as follows:

450.41 PROCEDURE FOR RELIEF. In the event that the estate has been duly appraised under the ordinary statutes of inheritance or the property has been sold and such appraisement or selling price is accepted by the director of revenue as satisfactory for inheritance tax purposes, the court or the clerk of court may, upon proper application, relieve the estate from the appraisement by the inheritance tax appraisers; but in order to obtain such relief, the administrator, executor, trustee, or other party interested must file an application for relief with the consent of the director of revenue thereto in the office of the clerk of the court before said clerk issues a commission to the inheritance tax appraisers.

Sec. 169. Section four hundred fifty-three point one (453.1), Code 1971, is amended to read as follows:

453.1 DEPOSITS IN GENERAL. The treasurer of state, and of each county, city, town, county public hospital, merged area hospital, memorial hospital and school corporation, and each township clerk and each county recorder, auditor, sheriff [each clerk and bailiff of the municipal court,] and clerk of the district court, and each secretary of a school board shall deposit all funds in their hands in such banks as are first approved by the executive council, board of supervisors, city or town council, board of hospital trustees, memorial hospital commission, board of school directors, respectively; provided, however, that the treasurer of state and the treasurer of each political subdivision shall invest all funds not needed for current operating expenses in time certificates of deposit in banks listed as approved depositories pursuant to this chapter or in investments permitted by section 452.10. The list of public depositories and the amounts severally deposited therein shall be a matter of public record. The term "bank" means a bank or a private bank, as defined in section 524.103.

Sec. 170. Section five hundred seventy point five (570.5), Code 1971, is amended to read as follows:

570.5 ENFORCEMENT—PROCEEDING BY ATTACHMENT. The lien may be enforced by the commencement of an action, within the period above prescribed, for the rent alone, in which action the landlord shall be entitled to a writ of attachment, upon filing with the clerk [or justice] a verified petition, stating that the action is commenced to recover rent accrued within one year previous thereto upon premises described in the petition; and the procedure thereunder shall be the same, as nearly as may be, as in other cases of attachment, except no bond shall be required.

Sec. 171. Section five hundred seventy-two point twenty-four (572.24), Code 1971, is amended to read as follows:

572.24 TIME OF BRINGING ACTION—COURT. An action to enforce a mechanic's lien, or an action brought upon

any bond given in lieu thereof, may be commenced in the district [or superior] court after said lien is perfected.

Sec. 172. Section five hundred eighty point four (580.4), Code 1971, is amended to read as follows:

580.4 AFFIDAVIT OF FORECLOSURE. Liens may be enforced by the holder filing with [any constable] *the sheriff* of the county in which the progeny is kept[, or with the sheriff of such county,] an affidavit which shall, in addition to a demand for foreclosure, contain:

1. A description of the stallion, bull or jack, when used and of the dam and its progeny.
2. The time and terms of said service.
3. A statement of the amount due for said service.

Sec. 173. Section five hundred eighty point five (580.5), Code 1971, is amended to read as follows:

580.5 POSSESSION AND NOTICE. The [constable or] sheriff shall, under said affidavit, take immediate possession of said progeny, and give written notice of the sale thereof, which notice shall contain:

1. A copy of the said affidavit.
2. The date and hour when, and the particular place at which, said property will be sold.

Sec. 174. Section five hundred eighty point eight (580.8), Code 1971, is amended to read as follows:

580.8 SALE—APPLICATION OF PROCEEDS. If payment of the service fee, and [constable] costs, be not made prior to the time of sale, as fixed in such notice, the [constable] *sheriff* may sell property so held by him, or so much thereof as may be necessary, at public auction to the highest bidder, and the proceeds shall be applied, first, to the payment of the costs, and second, in payment of amount due for service fee. Any surplus arising from such sale shall be forthwith paid to the owner of the property sold.

Sec. 175. Section five hundred ninety-five point ten (595.10), Code 1971, is amended by striking subsections one (1) and two (2) and inserting in lieu thereof the following:

“A judge of the supreme or district court, including a district associate judge, or a judicial magistrate.”

Sec. 176. Section six hundred point one (600.1), unnumbered paragraph one (1), Code 1971, is amended to read as follows:

600.1 WHO MAY ADOPT—PETITION. Any person of lawful age may petition the district court of the county in which he or the child resides for permission to adopt any child not his own, but no person other than the parent of a child may assume the permanent care and custody of a child under fourteen years of age except in accordance with the provisions of this chapter or chapter 238. If the petitioner be married, the spouse shall join in the petition unless such spouse is a natural parent of the child. An adult may be adopted, and only such provisions of this chapter shall apply

thereto as the court may order. [The judges of the district court may designate a municipal court judge to act as judge in adoption matters with jurisdiction in cases arising in the county in which such municipal court is organized.]

Sec. 177. Section six hundred four point two (604.2), Code 1971, is amended to read as follows:

604.2 APPEALS AND WRITS OF ERROR. It shall also possess and exercise jurisdiction in all appeals and writs of errors taken in civil and criminal actions and special proceedings authorized to be taken from all [inferior courts,] tribunals, boards, or officers, under any provisions of the laws of this state, and shall have a general supervision thereof, in all matters, to prevent and correct abuses, where no other remedy is provided.

Sec. 178. Section six hundred four point eleven (604.11), Code 1971, is amended to read as follows:

604.11 CITY OR TOWN TO PROVIDE COURTROOM. Where court is held in any city or town not the county seat, such city or town shall provide and furnish the necessary rooms and places therefor free of charge to the county. [Any necessary alterations, repairs, or additions to said rooms and places shall be provided at the expense of the county, and the board of supervisors is authorized and empowered to make such alterations, improvements, or additions, the cost thereof not to be in excess of the limitations imposed by section 345.1.]

Sec. 179. This section shall take effect July 1, 1971. Section six hundred five point two (605.2), Code 1971, is amended to read as follows:

605.2 EXPENSES. Where a judge of the district or supreme court is required, in the discharge of his official duties, to leave the county of his residence or leave the city or town of his residence to perform such duties, he shall be paid such actual and necessary [hotel] *expenses for living quarters* and living expenses not to exceed the sum of fifteen dollars per day and transportation expenses as shall be incurred.

Sec. 180. Section six hundred five point fourteen (605.14), Code 1971, is amended to read as follows:

605.14 JUDGE TO BE ATTORNEY. No person shall be eligible to the office of judge of a court of record, [except of police courts] *except judicial magistrate*, who is not, at the time of his election, an attorney at law, duly admitted to practice under the laws of this state.

Sec. 181. Section six hundred five point fifteen (605.15), Code 1971, is amended to read as follows:

605.15 PRACTICE PROHIBITED. During the time that he is holding such office he shall not practice as an attorney or counselor or give advice in relation to any action pending or about to be brought in any of the courts of the state. [Nothing contained in this section shall be construed to prohibit police court

judges from practicing as attorneys and counselors in civil matters.] *Judicial magistrates who are members of the bar of Iowa may practice as attorneys and counselors, except they may not practice as attorneys and counselors, or give advice, in relation to any matter within the purview of the jurisdiction of judicial magistrates as defined in section twenty-five (25) of this Act.*

Sec. 182. Section six hundred five A point three (605A.3), Code 1971, is amended to read as follows:

605A.3 NOTICE BY JUDGE IN WRITING. This chapter shall not apply to any judge of the municipal, superior, district or supreme court, *including district associate judges*, until he gives notice in writing, while serving as a judge, to the state comptroller and treasurer of state, of his purpose to come within its purview. Judges of the municipal and superior courts shall at the same time give a copy of such notice to the city treasurer and county auditor within the district of such court. Such notice shall be given within one year after the effective date hereof or within one year after any date on which he takes oath of office as such judge.

Sec. 183. Section six hundred five A point four (605A.4), unnumbered paragraph one (1), Code 1971, is amended to read as follows:

605A.4 DEPOSIT BY JUDGE—DEDUCTIONS—CONTRIBUTIONS BY GOVERNING BODY. Each judge coming within the purview of this chapter shall, on or before retirement, pay to the state comptroller for deposit with the state treasurer to the credit of a fund to be known as the "judicial retirement fund", hereinafter called the "fund", a sum equal to four percent of his basic salary for services as such judge for the total period of service as a judge of a municipal, superior, district or supreme court, *including district associate judges*, before the date of said notice, and after the date of the notice there shall be deducted and withheld from the basic salary of each judge coming within the purview of this chapter a sum equal to four percent of such basic salary. Provided that the maximum amount which any judge shall be required to contribute for past service shall not exceed for municipal or superior or *district associate judges* thirty-five hundred dollars, for district judges four thousand dollars and for supreme court judges five thousand dollars. The amounts so deducted and withheld from the basic salary of each said judge shall be paid to the state comptroller for deposit with the treasurer of state to the credit of the judicial retirement fund, and said fund is hereby appropriated for the payment of annuities, refunds, and allowances herein provided, except that the amount of such appropriations affecting payment of annuities, refunds, and allowances to judges of the municipal and superior court shall be limited to that part of said fund accumulated for their benefit as hereinafter

provided. The judges of the municipal, superior, district and supreme court, *including district associate judges*, coming within the provisions of this chapter shall be deemed to consent and agree to the deductions from basic salary as provided herein, and payment less such deductions shall be a full and complete discharge and acquittance of all claims and demands whatsoever for all regular services rendered by such judges during the period covered by such payment, except the right to the benefits to which they shall be entitled under the provisions of this chapter. The state shall contribute a sum not exceeding three percent of the basic salary of all judges of the district and supreme court for the years 1949 and 1950 and thereafter such sums as may be necessary over the amount contributed by the district and supreme court judges to finance the system, but only to the extent that the system applies to them. *After July 1, 1973, the state shall contribute such sums as may be necessary over the amount contributed by district associate judges to finance the system as to them for the portion of their tenure prior to July 1, 1973; and the respective cities and counties within each municipal and superior court district shall contribute the additional amount necessary pursuant to the next paragraph of this section, for the portion of the tenure of such district associate judges prior to July 1, 1973.*

Sec. 184. Section six hundred five A point eight (605A.8), Code 1971, is amended to read as follows:

605A.8 INDIVIDUAL ACCOUNTS—REFUNDING. The amounts deducted and withheld from the basic salary of each judge of the municipal, superior, district or supreme court, *including district associate judges*, for the credit of the judicial retirement fund and all amounts paid into such fund by each judge shall be credited to the individual account of such judge. In the event a judge of the municipal, superior, district or supreme court, *including district associate judges*, becomes separated from service as such judge before he completes an aggregate of six years of service as a judge of one or more of such courts, the total amount of his contribution to the fund shall be returned to said judge or his legal representatives, and in the event a judge who has completed an aggregate of six years or more of service as a judge of one or more of such courts, dies before retirement, the total amount of his contribution to the fund shall be paid in one sum to his legal representatives, and in the event an annuitant under this section dies, without having received in annuities an amount equal to the total amount remaining to his credit at the time of his separation from service the amount remaining to his credit shall be paid in one sum to his legal representatives.

Sec. 185. Section six hundred six point thirteen (606.13), Code 1971, is amended to read as follows:

606.13 NOT TO BE [JUSTICE OR] ATTORNEY. The clerk, or deputy clerk of the district court is prohibited from [holding the office of justice of the peace, or] practicing, directly or indirectly, as an attorney or solicitor in any of the courts of this state.

Sec. 186. Section six hundred six point fifteen (606.15), subsection fourteen (14), Code 1971, is amended to read as follows:

14. For filing and docketing transcript of judgment from another county [or a justice of the peace or municipal court], one dollar.

Sec. 187. Section six hundred seven point five (607.5), Code 1971, is amended by striking subsections two (2) and three (3).

Sec. 188. Section six hundred eighteen point thirteen (618.13), Code 1971, is amended by striking unnumbered paragraph two (2).

Sec. 189. Section six hundred twenty-one point nine (621.9), Code 1971, is amended to read as follows:

621.9 CASH IN LIEU OF BOND. In all cases in which a bond for security for costs is required, the party required to give such security may deposit in cash the amount fixed in said bond with the clerk of the district court [or justice of the peace] in lieu of said bond.

Sec. 190. Section six hundred twenty-two point sixty-three (622.63), Code 1971, is amended to read as follows:

622.63 SUBPOENAS. The clerks of the several courts shall, on application of any person having a cause or matter pending in court, issue a subpoena for witnesses under the seal of the court, inserting all the names required by the applicant in one subpoena, if practicable, which may be served by the sheriff [or any constable] of the county, or by the party or any other person.

Sec. 191. Section six hundred twenty-two point sixty-nine (622.69), Code 1971, amended by striking the section and inserting in lieu thereof the following:

"Witnesses shall receive three dollars for each day's attendance and ten cents per mile for each mile actually traveled."

Sec. 192. Section six hundred twenty-two point seventy-three (622.73), Code 1971, is amended to read as follows:

622.73 FEES PAYABLE BY COUNTY. For attending before the trial jury or court in criminal cases where the defendant is adjudged not guilty, the fees above provided for attending [the district or justice's] court shall be paid by the county, upon a certificate of the clerk or [justice] *judicial magistrate* showing the amount of the services to which they are entitled.

Sec. 193. Section six hundred twenty-two point seventy-five (622.75), Code 1971, is amended to read as follows:

622.75 REIMBURSEMENT TO PARTY OR COUNTY. When the

county or any party has paid the fees of any witness, and the same is afterward collected from the adverse party, the county or person so paying the same shall, upon the production of the receipt of such witness or other satisfactory evidence, be entitled to such fee[, whether it be in the hands of the justice or clerk, or has been paid into the county treasury].

Sec. 194. Section six hundred twenty-two point seventy-eight (622.78), Code 1971, is amended to read as follows:

622.78 SERVING SUBPOENA. If a witness conceals himself, or in any manner attempts to avoid being personally served with a subpoena, any sheriff [or constable] having the subpoena may use all necessary and proper means to serve the same, and may for that purpose break into any building or other place where the witness is to be found, having first made known his business and demanded admission.

Sec. 195. Section six hundred twenty-two point eighty-four (622.84), Code 1971, is amended to read as follows:

622.84 SUBPOENAS—ENFORCING OBEDIENCE. When, by the laws of this or any other state or country, testimony may be taken in the form of depositions to be used in any of the courts thereof, the person authorized to take such depositions may issue subpoenas for witnesses, which must be served by the same officers and returned in the same manner as is required in [a justice's court] *district court*, and obedience thereto may be enforced in the same way and to the same extent [a justice of the peace might do], or he may report the matter to the district court who may enforce obedience as though the action was pending in said court.

Sec. 196. Section six hundred twenty-two point ninety-three (622.93), Code 1971, is amended by striking unnumbered paragraph two (2).

Sec. 197. Section six hundred twenty-five point thirteen (625.13), Code 1971, is amended to read as follows:

625.13 DISMISSAL FOR WANT OF JURISDICTION. Where an action is dismissed from any court for want of jurisdiction[, or because it has not been regularly transferred from an inferior to a superior court,] the costs shall be adjudged against the party attempting to institute or bring up the same.

Sec. 198. Section six hundred twenty-six point ninety-four (626.94), Code 1971, is amended to read as follows:

626.94 PROPERTY UNSOLD—OPTIONAL PROCEDURE. Subject to the provisions of section 626.93, when property is unsold for want of bidders, the levy still holds good; and, if there be sufficient time, it may again be advertised, or the execution returned and one issued commanding the officer to sell the property, describing it, previously levied on, to which a clause may be added

that, if such property does not produce a sum sufficient to satisfy such execution, the officer shall proceed to make an additional levy, on which he shall proceed as on other executions; or the plaintiff may, in writing filed with the clerk [or justice], abandon such levy, upon paying the costs thereof; in which case execution may issue with the same effect as if none had ever been issued.

Sec. 199. Section six hundred twenty-six point one hundred eight (626.108), Code 1971, is amended to read as follows:

626.108 FEE BILL EXECUTION. After the expiration of sixty days from the rendition of a final judgment not appealed, removed, or reversed, the clerk of the court[, or a justice of the peace in whose office the judgment is entered,] may, and, upon demand of any party entitled to any part thereof, shall, issue a fee bill for all costs of such judgment, which shall have the same force and effect as an execution issued by such officer; and shall be served and executed in the same manner.

Sec. 200. Section six hundred thirty point one (630.1), Code 1971, is amended to read as follows:

630.1 DEBTOR EXAMINED. When execution against the property of a judgment debtor, or one of several debtors in the same judgment, has been issued from the [superior, municipal,] district[, or] supreme court to the sheriff of the county where such debtor resides, or if he [do] *does* not reside in the state, to the sheriff of the county where the judgment was rendered, or a transcript of a justice's judgment has been filed, and execution issued thereon is returned unsatisfied in whole or in part, the owner of the judgment is entitled to an order for the appearance and examination of such debtor.

Sec. 201. Section six hundred thirty point three (630.3), Code 1971, is amended to read as follows:

630.3 BY WHOM ORDER GRANTED. Such order may be made by the [superior or] district court in which the judgment was rendered, or by the district court of the county to which execution has been issued. The debtor may be required to appear and answer before either of such courts, or before a referee appointed for that purpose by the court who issued the order, to report either the evidence or the facts.

Sec. 202. Section six hundred thirty-nine point eleven (639.11), Code 1971, is amended to read as follows:

639.11 BOND. In all cases before it can be issued, the plaintiff must file with the clerk a bond for the use of the defendant, with sureties to be approved by such clerk, in a penalty at least double the value of the property sought to be attached, and in no case[, except in a class B case in municipal court,] less than two hundred fifty dollars [in a court of record, on less than fifty dollars if in a justice court or a class

B case in municipal court,] conditioned that the plaintiff will pay all damages which the defendant may sustain by reason of the wrongful suing out of the attachment.

Sec. 203. Section six hundred thirty-nine point sixty-eight (639.68), Code 1971, is amended to read as follows:

639.68 SHERIFF—CONSTABLES. The word "sheriff", or "officer", as used in this chapter is meant to apply to [constables when the proceedings are in a justice's court, or] the like officer of any other court.

Sec. 204. Section six hundred forty-two point one (642.1), Code 1971, is amended to read as follows:

642.1 WHO MAY BE GARNISHED. A sheriff [or constable] may be garnished for money of the defendant in his hands; a judgment debtor of the defendant, when the judgment has not been assigned on the record, or by writing filed in the office of the clerk and by him minuted as an assignment on the margin of the judgment docket; and an executor, for money due from decedent.

Sec. 205. Section six hundred forty-three point five (643.5), Code 1971, is amended to read as follows:

643.5 BOND. When the plaintiff desires the immediate delivery of the property, he shall execute a bond to the defendant, with sureties to be approved by the clerk [or justice], in a penalty at least equal to twice the value of the property sought to be taken, conditioned that he will appear in court on or before the day fixed in the original notice, and prosecute his action to judgment, and return the property, if a return is awarded, and pay all costs and damages that may be adjudged against him.

Sec. 206. Section six hundred forty-three point six (643.6), Code 1971, is amended to read as follows:

643.6 FILING—PURPOSE OF BOND. Said bond shall be filed with the clerk [or justice], and be for the use of any person injured by the proceeding.

Sec. 207. Section six hundred forty-three point seven (643.7), Code 1971, is amended to read as follows:

643.7 WRIT ISSUED. The clerk [or justice] shall thereupon issue a writ under his hand, and the seal of the court [if a court of record], directed to the proper officer, requiring him to take the property therein described and deliver it to the plaintiff.

Sec. 208. Section six hundred forty-four point one (644.1), Code 1971, is amended to read as follows:

644.1 TAKING UP VESSELS, RAFTS, LOGS AND LUMBER.

If any person shall stop or take up any vessel or watercraft, or any raft of logs, or part thereof, or any logs suitable for making lumber or hewn timber, or sawed lumber, found adrift within the limits or upon the boundaries of this state, of the value of five dollars or upwards, including the cargo, tackle, rigging, and other appendages of such vessel or watercraft, such person, within five days thereafter, provided the same shall not have been previously proved and restored

the owner, shall go before some [justice of the peace in the township] *district judge, district associate judge, judicial magistrate, or district court clerk* where such property is found, and make affidavit setting forth the exact description of such property; where and when the same was found; whether any, and if so what cargo, tackle, rigging, or other appendages were found on board or attached thereto; and that the same has not been altered or defaced, either in whole or in part, since the taking up, either by him or by any other person to his knowledge.

Sec. 209. Section six hundred forty-four point two (644.2), Code 1971, is amended to read as follows:

644.2 WARRANT—APPRAISAL—RETURN—RECORDS. The said [justice] *district judge, district associate judge, judicial magistrate, or district court clerk* shall thereupon issue his warrant, directed to some [constable of his township] *peace officer*, commanding him to summon three respectable householders of the neighborhood, who shall proceed without delay to examine and appraise such property, including cargo, tackle, rigging, and other appendages if any there be, and to make report thereof under their hands to the [justice] *magistrate, judge or clerk* issuing such warrant, who shall [enter the same, together with the affidavit of the taker-up, at large in his estray book, and within five days shall transmit a certified copy thereof to the county auditor of the proper county, to be by him recorded in his estray book and filed in his office] *transmit a certified copy thereof to the county auditor to be recorded in the estray book in his office.*

Sec. 210. Section six hundred forty-four point four (644.4), Code 1971, is amended to read as follows:

644.4 VALUE EXCEEDING TWENTY DOLLARS. If the value thereof shall exceed the sum of twenty dollars, the county auditor, within five days from the time of the reception of the [justice's] *magistrate, judge or clerk's* certificate at his office, shall cause an advertisement to be posted on the door of the courthouse, and at three other of the most public places in the county, and also a notice to be published once each week for three weeks successively, in some newspaper printed in this state; and if such property be not claimed or proven within ninety days after the advertisement of the same, as aforesaid, the finder shall deliver the same to the sheriff of the county wherein it was taken up, who shall thereupon proceed to sell it at public auction to the highest bidder for cash, having first given ten days' notice of the time and place of sale, and the proceeds of all such sales, after deducting the costs and other necessary expenses, shall be paid into the county treasury.

Sec. 211. Section six hundred forty-four point twelve (644.12), Code 1971, is amended to read as follows:

644.12 OWNERSHIP SETTLED. In any case where a claim is made to property found or taken up, and the ownership of the property cannot be agreed upon by the finder and claimant, they may make a case before any [justice of the peace] *district judge, associate district judge, or judicial magistrate* in the county, who may hear and adjudicate it, and if either of them refuses to make such case the other may make an affidavit of the facts which have previously occurred, and the claimant shall also verify his claim by his affidavit, and the [justice] *district judge, associate district judge, or judicial magistrate* may take cognizance of and try the matter on the other party having one day's notice, but there shall be no appeal from the decision. This section does not bar any other remedy given by law.

Sec. 212. Section six hundred forty-four point fourteen (644.14), Code 1971, is amended to read as follows:

644.14 COSTS, CHARGES AND CARE—ASSESSMENT. The owner shall also be required to pay the finder all such costs and charges as may have been paid by him for services rendered as aforesaid, including the cost of publication, together with reasonable charges for keeping and taking care of such property, which last mentioned charge, in case the finder and the owner cannot agree, shall be assessed by two disinterested householders of the neighborhood, to be appointed by some [justice of the peace] *magistrate judge* of the proper county, whose decision, when made, shall be binding and conclusive on all parties.

Sec. 213. Section six hundred forty-eight point five (648.5), Code 1971, is amended to read as follows:

648.5 JURISDICTION—TRANSFER—APPEAL. [The district, municipal, and superior courts within the county, and justices of the peace within the township where the subject matter of the action is situated,] *The district court within the county* shall have [concurrent] jurisdiction of actions for the forcible entry or detention of real property[, and the court first acquiring jurisdiction of an action therefor shall retain the same until judgment, unless it is transferred as hereinafter provided]. Where an action is brought in the district[, superior, or municipal] court it shall be tried as an equitable action, and upon presentation of the petition to the [court or] *associate district judge or judicial magistrate* after the same has been filed, the court [or judge] shall make an order fixing the time and place for hearing upon said petition and shall prescribe that notice of the hearing be personally served upon the defendant or defendants, which service shall be at least five days prior to the date set for hearing. [By agreement of the parties, it may be transferred from a justice's court to a municipal, superior, or the district court, or from a superior or a municipal to the district court, and all such

actions in which judgment is rendered in a justice's court may be appealed to the district or superior court, as provided by law.]

Sec. 214. Section six hundred forty-eight point ten (648.10), Code 1971, is amended to read as follows:

648.10 SERVICE BY PUBLICATION. Where it is made to appear by affidavit that personal service of the original notice in such action cannot be made upon the defendant within the state, the same may be made by publication[, if in a court of record, or by posting, if in a justice's court,] in the same manner and for the same length of time as is required in other cases where such substituted service may be made.

Sec. 215. Section six hundred forty-eight point thirteen (648.13), Code 1971, is amended to read as follows:

648.13 TITLE IN ISSUE. The question of title can only be investigated [in the] *by a* district [court] *judge* [, and can be pleaded in a municipal court or a justice's court only as provided in subsection 4 of section 648.1].

Sec. 216. Section six hundred fifty-seven point six (657.6), Code 1971, is amended to read as follows:

657.6 STAY OF EXECUTION. Instead of issuing such warrant, the court [or justice] may order the same to be stayed upon motion of the defendant, and upon his entering into an undertaking to the state, in such sum and with such surety as the court [or justice] may direct, conditioned either that the defendant will discontinue said nuisance, or that, within a time limited by the court, and not exceeding six months, he will cause the same to be abated and removed, as either is directed by the court; and upon his failure to perform the condition of his undertaking, the same shall be forfeited, and the court [or justice of the peace, as the case may be], upon being satisfied of such default, may order such warrant forthwith to issue, and action may be brought on such undertaking.

Sec. 217. Section six hundred sixty-one point four (661.4), Code 1971, is amended to read as follows:

661.4 ORDER ISSUED. The order may be issued by the district [or superior] court to any inferior tribunal, or to any corporation, officer, or person; and by the supreme court to any district [or superior] court, if necessary, and in any other case where it is found necessary for that court to exercise its legitimate power.

Sec. 218. Section six hundred sixty-three point three (663.3), Code 1971, is amended to read as follows:

663.3 WRIT ALLOWED—SERVICE. The writ may be allowed by the supreme[,] or district[, municipal, or superior] court, or by [any] *a supreme court judge or district judge* [of either of those courts], and may be served in any part of the state.

Sec. 219. Section six hundred sixty-five point four (665.4), Code 1971, is amended by striking subsections

two (2) and three (3) and inserting in lieu thereof the following:

2. By district judges and district associate judges, by a fine not exceeding five hundred dollars or imprisonment in a county jail not exceeding six months or by both such fine and imprisonment.

3. By judicial magistrates, by a fine not exceeding one hundred dollars or imprisonment in a county jail not exceeding thirty days.

Sec. 220. Section six hundred sixty-six point six (666.6), unnumbered paragraph one (1), Code 1971, is amended to read as follows:

666.6 REPORT OF FORFEITED BONDS. Clerks of district[, municipal, superior, and police courts, mayors of cities and towns, and justices of the peace] court shall, on the first Monday in January in each year, make report in writing to the board of supervisors for their respective counties of all forfeited recognizances in their offices; of all fines, penalties, and forfeitures imposed in their respective courts, which by law go into the county treasury for the benefit of the school fund; in what cause or proceeding, when and for what purpose, against whom and for what amount, rendered; whether said fines, penalties, forfeitures, and recognizances have been paid, remitted, canceled, or otherwise satisfied; if so, when, how, and in what manner, and if not paid, remitted, canceled, or otherwise satisfied, what steps have been taken to enforce the collection thereof.

Sec. 221. Section six hundred sixty-seven point two (667.2), Code 1971, is amended to read as follows:

667.2 PETITION AND WARRANT. The petition must be in writing, sworn to, and filed with the clerk [or a justice of the peace,] who shall thereupon issue a warrant to the proper officer, commanding him to seize the boat or raft, its apparel, tackle, furniture, and appendages, and detain the same until released by due course of law.

Sec. 222. Section six hundred sixty-seven point five (667.5), Code 1971, is amended to read as follows:

667.5 SERVICE OF WARRANT. Any [constable or] marshal of any city or town may execute the warrant[, whether it issues from the office of the clerk of the district or superior court, or of a justice].

Sec. 223. Section six hundred sixty-seven point seven (667.7), Code 1971, is amended to read as follows:

667.7 BOND TO DISCHARGE. The property seized may be discharged at any time before final judgment, by giving a bond with sureties, to be approved by the officer executing the warrant, or by the clerk [or justice] who issued it, in a penalty double the plaintiff's demand, conditioned that the obligors therein will pay the amount which may be found due to the plaintiff, together with the costs.

Sec. 224. Section six hundred eighty-five point

eight (685.8), subsection three (3), Code 1971, is amended to read as follows:

3. Obtain reports from clerks of court, judges, [justices of the peace, mayors,] and magistrates, in accordance with law, or rules prescribed by the supreme court as to cases and other judicial business in which action has been delayed beyond periods of time specified by law or such rules, and make report thereof;

Sec. 225. Section six hundred eighty-five point nine (685.9), Code 1971, is amended to read as follows:

685.9 CO-OPERATION OF COURT OFFICERS. The judges, [justices of the peace, mayors,] *district associate judges*, *judicial* magistrates, reporters, clerks of court, probation officers, sheriffs, and all other officers, state and local, shall comply with all requirements made by the [statistician] *court administrator* or his assistants for information and statistical data bearing on the state of the dockets of the courts, the progress of court business, and such other information as may reflect the business transacted by them and the expenditure of moneys for the maintenance and operation of the judicial system.

Sec. 226. Section six hundred eighty-five point ten (685.10), Code 1971, is amended by striking the section and inserting in lieu thereof the following:

"Sections six hundred eighty-five point six (685.6) through six hundred eighty-five point nine (685.9), inclusive, apply to the supreme court and the district court."

Sec. 227. Section six hundred eighty-six point two (686.2), Code 1971, is amended to read as follows:

686.2 MOTION FOR NEW TRIAL. The supreme court on appeal may review and reverse any judgment or order of the [municipal, superior, or] district court, although no motion for a new trial was made in such court.

Sec. 228. Section seven hundred nine point nine (709.9), Code 1971, is amended to read as follows:

709.9 TAKING GOODS FROM OFFICER. If any person, knowingly and without authority of law, take, carry away, secrete, or destroy any goods or chattels while the same are lawfully in the custody of any sheriff, county medical examiner, marshal, [constable,] or other officer, and held by such officer by virtue of execution, writ of attachment, or other legal process, he shall be guilty of larceny, and, when the value of the property so taken, carried away, secreted, or destroyed exceeds the sum of twenty dollars, be imprisoned in the penitentiary not more than one year; and when it does not exceed twenty dollars, be fined not exceeding one hundred dollars, or imprisoned in the county jail not more than thirty days.

Sec. 229. Section seven hundred twenty-five point nine (725.9), Code 1971, is amended to read as follows:

725.9 WARRANTS FOR SEARCH OR SEIZURE. Any magistrate or [police] judge is authorized, on complaint supported

by oath or affirmation of one or more persons, to issue a warrant, directed to the sheriff of the county within which such complaint is made, or to any [constable or] police officer within said county, directing him or them, or any of them, to search for, seize and take possession of such books, papers, pictures, circulars, articles, and things named in this chapter; and said magistrate or [police] judge shall deliver personally or shall transmit, enclosed and under seal, specimens thereof to the county attorney of his county, and shall deposit within the county jail of his county, or other secure place, as to him shall seem meet, enclosed and under seal, the remainder thereof, and shall, upon the conviction of the person or persons offending under the provisions of this chapter, forthwith, in the presence of the person or persons upon whose complaint the seizure or arrest was made, if he or they shall elect to be present, destroy, or cause to be destroyed, the remainder thereof, and shall cause to be entered upon the record of his court the fact of such destruction.

Sec. 230. Section seven hundred thirty-one A point four (731A.4), Code 1971, is amended to read as follows:

731A.4 JURISDICTION AND APPEAL. Juvenile courts shall have jurisdiction in the prosecution of the offense set forth herein, though the defendant or defendants in such actions be adults. Said proceedings in juvenile court shall be commenced by filing a sworn complaint or information and the matter shall be tried summarily and without a jury. Provided, however, that prior to the filing of such complaint or information the probation officer for the territory in question, or the county attorney, shall make such investigation as he may deem necessary, and no such such complaint or information shall be filed without the approval of such probation officer or county attorney, except by order of a judge of the juvenile court. Any defendant convicted upon such trial shall have the right of appeal and trial de novo including the right of trial by jury[, in the district court, the same as in case of appeals thereto from the justice courts] *before a district judge.*

Sec. 231. Section seven hundred thirty-nine point nine (739.9), Code 1971, is amended to read as follows:

739.9 SHERIFF OR OTHER OFFICERS RECEIVING BRIBES.

If any sheriff, deputy sheriff, [or constable,] or any marshal, deputy marshal, policeman, or police officer of any city or town, receive from a defendant, or other person, any money or other valuable thing as a consideration or inducement for omitting or delaying to arrest any defendant or to carry him before a magistrate or to prison, or for postponing, delaying, or neglecting the sale of property on execution, or for omitting or delaying to perform any other duty pertaining to his office, he shall be fined not exceeding five hundred dollars, or imprisoned in the county jail

not exceeding six months, or both fined and imprisoned, at the discretion of the court.

Sec. 232. Section seven hundred forty point five (740.5), Code 1971, is amended to read as follows:

740.5 FALSELY ASSUMING TO BE OFFICER. If a person falsely assume to be a *district judge*, [justice of the peace,] *district associate judge*, *judicial magistrate*, sheriff, deputy sheriff, peace officer, special agent of the Iowa department of public safety, or conservation officer[, or constable], and take upon himself to act as such, or require anyone to aid or assist him in any matter pertaining to the duty of any such officer, he shall be imprisoned in the county jail not more than one year, or be fined not exceeding three hundred dollars.

Sec. 233. Section seven hundred forty point six (740.6), Code 1971, is amended to read as follows:

740.6 STIRRING UP QUARRELS AND SUITS. If any judge, [justice of the peace,] clerk of any court, sheriff, [constable,] *district associate judge or judicial magistrate*, attorney, or counselor at law, encourage, excite or stir up any action, quarrel, or controversy between two or more persons, with intent to injure such persons, he shall be fined not exceeding five hundred dollars, and shall be answerable to the party injured in treble damages.

Sec. 234. Section seven hundred forty-two point seven (742.7), Code 1971, is amended to read as follows:

742.7 ARMED FORCES UNDER COMMAND OF SHERIFF. When such armed force is called out, it shall obey the command of the sheriff or other person appointed by the governor for that purpose, or by a judge of the supreme[, district or superior court, or other magistrate] or *district court, district associate judge, or judicial magistrate* in the order named, but such officer or person shall at all times be subject to the direction of the governor.

Sec. 235. Section seven hundred forty-three point four (743.4), Code 1971, is amended to read as follows:

743.4 UNLAWFUL ASSEMBLAGES—DISPERSION. When persons
to the number of twelve or more, armed with dangerous weapons, or persons to the number of thirty or more, whether armed or not, are unlawfully or riotously assembled in any city or town, any judge, sheriff, and his deputies if they be present, the mayor, aldermen, marshal[, constables, and justices of the peace] and *judicial magistrates* of such city or town must go among the persons assembled, or as near them as may be safe, and command them, in the name of the state, immediately to disperse.

Sec. 236. Section seven hundred forty-six point seven (746.7), Code 1971, is amended to read as follows:

746.7 TAKING BEFORE MAGISTRATE. If such arrest is made during the night, the officer may keep the

person arrested in confinement until the next morning, unless bail be given[, and if made within the jurisdiction of a police court, he must be taken before such court, unless the judge is absent].

Sec. 237. Section seven hundred forty-eight point one (748.1), Code 1971, is amended to read as follows:

748.1 "MAGISTRATE" DEFINED. The term "magistrate" includes[:]

[1. All judges of the supreme, district, superior, or municipal courts, throughout the state.]

[2. All justices of the peace, mayors, and judges of the police court, within their respective counties] *all judges of the supreme and district courts and all district associate judges and judicial magistrates.*

Sec. 238. Section seven hundred forty-eight point three (748.3), Code 1971, is amended by striking subsection two (2).

Sec. 239. Section seven hundred fifty-one point forty (751.40), Code 1971, is amended to read as follows:

751.40 APPEAL BY CLAIMANT. Any person appearing as aforesaid may, when the proceedings are not before a *district judge [of the district court], appeal to [the] a district [court] judge from said judgment or forfeiture, as to the whole or any part of said property, and the procedure on appeal, except as herein modified, shall be as upon other appeals from judicial magistrates' judgments.*

Sec. 240. Section seven hundred fifty-four point one (754.1), Code 1971, is amended to read as follows:

754.1 DEFINITION. A complaint or preliminary information is a statement in writing, under oath or affirmation, made before a magistrate, *or in his absence before the district court clerk or his deputy, of the commission or threatened commission of a public offense, and accusing someone thereof. Provided, however, that this section shall not apply to the uniform traffic citations and complaints under section fifty-one (51) of this Act.*

Sec. 241. Section seven hundred fifty-four point three (754.3), Code 1971, is amended to read as follows:

754.3 FILING—ISSUING WARRANT. When a preliminary information is made before a magistrate, *or district court clerk or his deputy, charging the commission of some designated public offense triable on indictment in the county in which such magistrate, or district court clerk or his deputy, has local jurisdiction, by some person named therein, he may issue a warrant for the arrest of such person.*

Whenever the preliminary information *or complaint* charges a misdemeanor the magistrate, *or district court clerk or his deputy, may in his discretion issue a [summons] citation* instead of a warrant of arrest. The [summons] *citation shall set forth substantially the nature of the offense and shall command the person against whom the complaint was made to appear before*

the magistrate issuing the [summons] *citation* at a time and place stated therein.

The [summons] *citation* may be served in the same manner as an original notice in a civil action.

If the person named in the [summons] *citation* is actually served as provided herein and fails without good cause to appear as commanded by the [summons] *citation*, he shall be considered in contempt of court and may be punished by a fine of not more than twenty dollars. Upon such failure to appear, the magistrate, *or district court clerk or his deputy*, shall issue a warrant of arrest for the offense originally charged, and institute proceedings in contempt as provided by chapter 665.

If after issuing a [summons] *citation* the magistrate, *or district court clerk or his deputy*, becomes satisfied that the person to whom such [summons] *citation* has been directed will not appear, he may at once issue a warrant of arrest without waiting for the date mentioned in the [summons] *citation*. *A warrant or citation issued by a clerk or deputy shall be returnable before a magistrate for the county, or in his absence, before the nearest magistrate, whether the warrant is for a felony as under section 757.2 or for a misdemeanor.*

Sec. 242. Section seven hundred fifty-four point five (754.5), Code 1971, is amended to read as follows:

754.5 DIRECTED TO PEACE OFFICER—CONTENTS. The warrant must be directed to any peace officer in the state; give the name of the defendant, if known to the magistrate, *or district court clerk or his deputy*; if unknown, may designate him by any name, and must state by name or general description an offense which authorizes a warrant to issue, the time of issuing it, the county, city, town, village, or township where issued, and be signed by the magistrate, *or district court clerk or his deputy*, with his name of office.

Sec. 243. Section seven hundred fifty-four point six (754.6), Code 1971, is amended to read as follows:

754.6 ORDER FOR BAIL—ENDORSED ON WARRANT. If the offense stated in the warrant be a misdemeanor, the magistrate, *or district court clerk or his deputy*, issuing it must make an endorsement thereon as follows: "Let the defendant, when arrested, be admitted to bail in the sum of dollars", stating the amount in which bail may be taken.

Sec. 244. Section seven hundred fifty-eight point one (758.1), Code 1971, is amended to read as follows:

758.1 DISPOSITION OF PRISONER. When an arrest is made without a warrant, the person arrested shall, without unnecessary delay, be taken before the nearest [or most accessible magistrate in the county in which the arrest is made,] *available magistrate*, and the grounds on which the arrest was made shall be stated to the magistrate by affidavit, subscribed and sworn to by the person making the statement, in the same manner as upon a preliminary information, as nearly as may

be.

Sec. 245. Section seven hundred fifty-eight point three (758.3), Code 1971, is amended to read as follows:

758.3 TRANSFER FOR CONVENIENCE. If the magistrate finds that it will be more convenient for the witnesses on the part of the state that such trial or examination should be had before some other magistrate [in the county], he shall, by a written order, commit the person arrested to a peace officer, to be by him taken before the other magistrate, together with the order of commitment and affidavits, unless the person arrested give bail, when authorized, for his appearance, as in case of arrest under a warrant.

Sec. 246. Section seven hundred sixty point four (760.4), Code 1971, is amended to read as follows:

760.4 DISCHARGE ORDERED—COSTS. If it appears that there is no just reason to fear the commission of the offense alleged to have been threatened, the person complained of must be discharged, and the complainant may be ordered to pay the costs of the proceeding if the magistrate regards the complaint as unfounded and frivolous, and, [unless when the proceeding is before a judge of the supreme, district, or superior court, may issue execution therefor, and when the proceeding is before a judge of the supreme, district, or superior court,] he shall transmit the complaint, affidavits, warrant, and order to the clerk of the district court of the county, who shall file the same, make a memorandum thereof in the judgment docket, and issue execution therefor immediately.

Sec. 247. Section seven hundred sixty point seven (760.7), Code 1971, is amended by striking the section and inserting in lieu thereof the following:

"The undertaking, together with the complaints, affidavits, if any, and other papers in the proceeding must be filed by the magistrate with the clerk of district court of the county to stand trial in the district court subject to the provisions of sections seven hundred sixty point ten (760.10) and seven hundred sixty point eleven (760.11)."

Sec. 248. Section seven hundred sixty-one point two (761.2), Code 1971, is amended to read as follows:

761.2 CHANGE OF [VENUE—GROUNDS] *MAGISTRATE*. **Be-
fore**

any evidence is heard, the defendant may have a change of venue, upon filing an affidavit that the magistrate is prejudiced against him, or is a material witness for either party, or that the defendant cannot obtain justice before him, as affiant verily believes.

Sec. 249. Section seven hundred sixty-two point one (762.1), Code 1971, is amended by striking the section and inserting in lieu hereof the following:

762.1 TO WHOM TRIED. Judicial magistrates and district associate judges must hear, try and determine all nonindictable offenses. District judges may transfer

any nonindictable offenses pending before them to the nearest judicial magistrate or district associate judge.

Sec. 250. Section seven hundred sixty-two point two (762.2), Code 1971, is amended to read as follows:

762.2 INFORMATION, *COMPLAINT*. Criminal actions for the commission of a public offense must be commenced before a [justice of the peace] *magistrate* by an information or *complaint*, subscribed and sworn to, and filed with the [justice] *magistrate*.

Sec. 251. Section seven hundred sixty-two point six (762.6), Code 1971, is amended to read as follows:

762.6 WARRANT OF ARREST. Immediately upon the filing of such information, the [justice] *magistrate* or in his absence, the *district court clerk* or *deputy* may, in his discretion, issue a warrant for the arrest of the defendant, directed in the same manner as a warrant of arrest upon a preliminary information, which may be served in like manner.

Sec. 252. Section seven hundred sixty-two point seven (762.7), Code 1971, is amended to read as follows:

762.7 SERVICE OF WARRANT. The officer who receives the warrant must serve the same by arresting the defendant, if in his power, and bringing him without unnecessary delay before the [justice who issued the same] *magistrate*. *The magistrate may fix bail and in his absence the district court clerk or deputy may do so.*

Sec. 253. Section seven hundred sixty-two point fourteen (762.14), Code 1971, is amended to read as follows:

762.14 CHANGE ALLOWED—TRANSMISSION OF PAPERS.

If such affidavit be filed, the change of place of trial must be allowed, and the [justice] *magistrate* must immediately transmit all the original papers, and a transcript of all his docket entries in the case, to the next nearest [justice in the township] *magistrate*, unless said [justice] *magistrate* be a party to the action, or is related to either party by consanguinity, or affinity within the fourth degree, or where he has been attorney for either party in the action or proceeding; and in such case the [justice] *magistrate* before whom such action or proceeding is commenced shall transmit all the original papers, together with a transcript of all his docket entries, to the next nearest [justice in the county] *magistrate* against whom none of the above objections exist, who shall proceed with the case as provided in this chapter, but no more than one change of place of trial in the same case shall be allowed.

Sec. 254. Section seven hundred sixty-two point fifteen (762.15), Code 1971, is amended by striking the section and inserting in lieu thereof the following:

762.15 JURY TRIAL. Either party in a criminal action shall be entitled to jury trial by filing with the magistrate a written jury demand within ten days after the information or complaint is filed, or at least

two days before the trial if the action is tried before ten days elapses. Failure to make a jury demand in the manner prescribed herein constitutes a waiver of jury. If demand is made, the action shall be tried by a jury of six members.

Sec. 255. Section seven hundred sixty-two point sixteen (762.16), Code 1971, is amended by striking the section and inserting in lieu thereof the following:

762.16 If trial by jury is demanded, the magistrate shall notify the sheriff who shall furnish a bailiff at that time and place to act as officer of the court.

Sec. 256. Section seven hundred sixty-two point seventeen (762.17), Code 1971, is amended by striking the section and inserting in lieu thereof the following:

762.17 If a trial by jury is demanded, the magistrate shall notify the clerk of the time and place of trial. The clerk shall thereupon select by lot fourteen names from the district court jury panel selected pursuant to section six hundred nine point nineteen (609.19) of the Code. The clerk shall notify the jurors of the time and place for trial.

Sec. 257. Section seven hundred sixty-two point eighteen (762.18), Code 1971, is amended by striking the section and inserting in lieu thereof the following:

762.18 CHALLENGES. The same challenges may be taken by either party to any individual juror as on the trial of an indictment for a misdemeanor, but no challenge to the panel is allowed.

Sec. 258. Section seven hundred sixty-two point nineteen (762.19), Code 1971, is amended by striking the section and inserting in lieu thereof the following:

762.19 Sections seven hundred seventy-nine point four (779.4) through seven hundred seventy-nine point sixteen (779.16), inclusive, of the Code, relating to trial juries, shall apply to trials under this chapter.

Sec. 259. Section seven hundred sixty-two point twenty (762.20), Code 1971, is amended by striking the section and inserting in lieu thereof the following:

762.20 If for any reason the magistrate's panel as chosen by the clerk becomes insufficient to obtain a jury, he may direct the officer of the court to summon any bystander or others who may be competent, and against whom no sufficient cause of challenge appears, to act as jurors.

Sec. 260. Section seven hundred sixty-two point twenty-seven (762.27), Code 1971, is amended to read as follows:

762.27 RETIREMENT FOR CONSIDERATION—OATH. If they do not immediately agree, they must retire with the officer, who shall take the following oath: "You do swear that you will keep the jury together in some private and convenient place[, without food or drink, water excepted, unless otherwise ordered by the court]; that you will not permit any person to speak to them, nor speak to them yourself, unless it be to ask them if

they have agreed upon a verdict, and that you will return them into court when they have so agreed."

Sec. 261. Section seven hundred sixty-two point thirty-one (762.31), Code 1971, is amended to read as follows:

762.31 JUDGMENT—RULES. When the defendant pleads guilty or is convicted, [either by the justice or by a jury, the justice] *the magistrate* shall render judgment thereon of fine or imprisonment, as the case may require, being governed by the rules prescribed for the district court, as far as the same are applicable, in rendering such judgment.

Sec. 262. Section seven hundred sixty-two point thirty-two (762.32), Code 1971, is amended to read as follows:

762.32 IMPRISONMENT FOR NONPAYMENT OF FINE. A judgment that the defendant pay a fine may also direct that he be imprisoned until the fine is satisfied, *pursuant to section 789.17.*

Sec. 263. Section seven hundred sixty-two point thirty-three (762.33), Code 1971, is amended to read as follows:

762.33 DEFENDANT DISCHARGED. When the defendant is acquitted, [either by the justice or by a jury,] he must be immediately discharged.

Sec. 264. Section seven hundred sixty-two point thirty-five (762.35), Code 1971, is amended to read as follows:

762.35 APPEAL. In either case the prosecuting witness may appeal from such judgment to [the] *a* district [court] *judge*, by giving notice thereof as provided [in this chapter] with reference to appeals by defendant, and the fact of the giving of such notice shall be entered [by the justice] *magistrate* on his record. *The same procedure shall obtain as upon an appeal by the defendant.*

Sec. 265. Section seven hundred sixty-two point forty-one (762.41), Code 1971, is amended to read as follows:

762.41 PAYMENT TO SHERIFF. If the defendant be committed for not paying a fine, he may pay it to the sheriff of the county, but to no other person, who must [in like manner], within thirty days after the receipt thereof, pay it into the county treasury.

Sec. 266. Section seven hundred sixty-two point forty-two (762.42), Code 1971, is amended to read as follows:

762.42 RECEIPT FOR FINE. If the fine, or any part thereof, is paid to the [justice] *magistrate* or sheriff, he must execute duplicate receipts therefor[, one of which he must file without delay with the county auditor].

Sec. 267. Section seven hundred sixty-two point forty-three (762.43), Code 1971, is amended by striking the section and inserting in lieu thereof the following:

762.43 APPEAL. An appeal may only be taken by the defendant and only upon a judgment of conviction. Execution of the judgment shall be stayed upon the filing with the clerk of the district court an appeal bond with surety approved by the clerk, in the sum specified in the judgment. The defendant may take an appeal, by giving notice orally to the magistrate that he appeals, or by delivering to the magistrate not later than ten days thereafter, a written notice of his appeal, and in either case the magistrate must make an entry on its docket of the giving of such notice. Payment of fine or service of a sentence of imprisonment does not waive the right to appeal, nor render the appeal moot. When an appeal is taken, the magistrate shall forward to the appropriate district court clerk a copy of the docket entries in his court, together with copies of the complaint, warrant, motions, pleadings or other papers in the case. A district judge shall promptly hear the appeal upon the record thus filed without further evidence. If the original action was tried before a district judge acting as a judicial magistrate, the appeal shall be to a different district judge. The judge shall decide the appeal without regard to technicalities or defects. Judgment shall be rendered as though the case were being originally tried.

Sec. 268. Section seven hundred sixty-two point forty-four (762.44), Code 1971, is amended by striking the section and inserting in lieu thereof the following:

762.44 No judgment of conviction of a district court judge shall be appealed to the supreme court except by discretionary review as provided in section seventy-three (73) of this Act.

Sec. 269. Section seven hundred sixty-three point four (763.4), Code 1971, is amended to read as follows:

763.4 FORM OF BAIL BOND. Bail is put in by a written undertaking, executed by one or more sufficient sureties (with or without the defendant, in the discretion of the court, clerk, or magistrate), accepted by the court, clerk, or magistrate taking the same, and may be substantially in the following form:

County of
 An order having been made on the day of,
 A.D., by A..... B....., a [justice of the peace (or
 other magistrate), of the township of,
 (or as the case may be) (*official title*) that C.....
 D..... be held to answer upon a charge of (stating briefly
 the nature of the offense), upon which he has been duly
 admitted to bail, in the sum of dollars.

We, E..... F..... and G..... H....., hereby undertake
 that the said C..... D....., shall appear at the district
 court of the county of, on the day of
 (month), 19... (year) (which date shall not be more
 than twenty days after the perfection of the undertaking), and
 answer said charge, and submit to the orders and judgment of
 said court, and not depart without leave of the same, or, if

he fail to perform either of these conditions, that we will pay to the state of Iowa the sum of dollars (inserting the sum in which the defendant is admitted to bail).

E..... F.....
G..... H.....

Accepted by me as, in the township of, in the county of, this day of, A.D.

I..... J..... (with official title).

Sec. 270. Chapter seven hundred sixty-six (766), Code 1971, is amended by adding the following new section:

"FORFEITURE—TRAFFIC VIOLATIONS. The provisions of sections seven hundred sixty-six point two (766.2) through seven hundred sixty-six point six (766.6), inclusive, shall not apply to traffic violations."

Sec. 271. Section seven hundred sixty-six point two (766.2), Code 1971, is amended by striking the section and inserting in lieu thereof the following:

766.2 **NOTICE.** Where forfeiture is entered the magistrate shall within ten days file all official entries in relation thereto in the office of the clerk; and thereupon, it shall be the duty of the clerk to direct the sheriff to give ten days notice in writing to the defendant and his sureties to show cause, if any, why judgments should not be entered for the amount of such bail or the amount of money deposited instead of bail.

Sec. 272. Section seven hundred sixty-nine point two (769.2), Code 1971, is amended by striking the section and inserting in lieu thereof the following:

"The county attorney may file with a magistrate or clerk an information charging a person with an indictable offense."

Sec. 273. Chapter seven hundred seventy-four (774), Code 1971, is amended by adding the following new section:

TRANSFER OF MISDEMEANORS. District judges may transfer any indictable misdemeanors pending before them to the nearest full-time judicial magistrate or district associate judge.

Sec. 274. Section seven hundred seventy-nine point eleven (779.11), Code 1971, is amended to read as follows:

779.11 **PEREMPTORY CHALLENGES—NUMBER.** If the offense charged in the indictment or information is or may be punishable with death or imprisonment for life, the state and defendant shall each have the right to peremptorily challenge eight jurors and shall strike two jurors.

If the offense charged be any other felony, [or if it be a misdemeanor involving a violation of the statutes relative to intoxicating liquors,] the state and the defendant shall each have the right to peremptorily challenge four jurors and shall strike two jurors.

If the offense charged be a misdemeanor [other than that specified above], the state and the defendant shall each have the right to peremptorily challenge two jurors and shall strike two jurors.

Sec. 275. Section seven hundred ninety-three point one (793.1), Code 1971, is amended to read as follows:

793.1 OFFICE OF APPEAL—WHO MAY APPEAL. The mode of reviewing in the supreme court any judgment, action, or decision of the district court *by magistrate* in a criminal case *which is an indictable offense* is by appeal. Either the defendant or state may appeal.

Sec. 276. Sections one hundred thirteen point nine (113.9), one hundred sixty point fourteen (160.14), three hundred fifty-five point nine (355.9), six hundred sixty-five point two (665.2), seven hundred seventeen point seven (717.7), seven hundred thirty-three point two (733.2), and seven hundred fifty-four point two (754.2), Code 1971, are amended by striking from such sections the words "justice of the peace" or justices of the peace" and inserting in lieu thereof the words "judicial magistrate" or "judicial magistrates" as indicated.

Sec. 277. Sections three hundred thirty-six point two (336.2) and three hundred thirty-six point three (336.3), Code 1971, are amended by striking from such sections the words "before a justice of the peace" or "before justices of the peace".

Sec. 278. Sections three hundred twenty-one point one hundred ninety (321.190) and five hundred fifty-eight point twenty (558.20), Code 1971, are amended by striking from such sections the words "justice of the peace" and inserting in lieu thereof the words "judicial magistrate or district associate judge".

Sec. 279. Sections seven hundred fifty-one point twenty (751.20), seven hundred fifty-two point four (752.4), and seven hundred sixty-two point three (762.3), Code 1971, are amended by striking from such sections the words "justice of the peace" or "justices of the peace" and inserting in lieu thereof the words "magistrate" or "magistrates" as indicated.

Sec. 280. Sections three hundred thirty-seven point twelve (337.12) and seven hundred thirty-three point two (733.2), Code 1971, are amended by striking from such sections the word "justice" or "justices" and inserting in lieu thereof the words "judicial magistrate" or "judicial magistrates" as indicated.

Sec. 281. Sections seven hundred sixty-one point twenty-nine (761.29), seven hundred sixty-two point two (762.2), seven hundred sixty-two point three (762.3), seven hundred sixty-two point four (762.4), seven hundred sixty-two point five (762.5), seven hundred sixty-two point nine (762.9), seven hundred sixty-two point ten (762.10), seven hundred sixty-two point eleven (762.11), seven hundred sixty-two point twelve (762.12), seven

hundred sixty-two point thirteen (762.13), seven hundred sixty-two point twenty-five (762.25), seven hundred sixty-two point twenty-eight (762.28), seven hundred sixty-two point twenty-nine (762.29), seven hundred sixty-two point thirty (762.30), seven hundred sixty-two point thirty-four (762.34), seven hundred sixty-two point thirty-eight (762.38), and seven hundred sixty-two point thirty-nine (762.39), Code 1971, are amended by striking from such sections the word "justice" or "justices" and inserting in lieu thereof the words "magistrate" or "magistrates" as indicated.

Sec. 282. Sections forty-nine point one hundred fifteen (49.115), sixty-five point nine (65.9), one hundred eighty-eight point twenty-nine (188.29), three hundred thirty-six point four (336.4), four hundred twenty point sixteen (420.16), four hundred twenty point thirty-four (420.34), six hundred four point one (604.1), six hundred five point nineteen (605.19) through six hundred five point twenty-three (605.23), inclusive, six hundred twenty-six point fifty-seven (626.57), six hundred twenty-six point seventy-six (626.76), six hundred twenty-six point one hundred two (626.102), six hundred forty-eight point six (648.6), six hundred forty-eight point seven (648.7), six hundred forty-eight point eight (648.8), six hundred forty-eight point eleven (648.11), six hundred forty-eight point twelve (648.12), six hundred forty-eight point thirteen (648.13), six hundred forty-eight point fourteen (648.14), six hundred forty-eight point twenty-one (648.21), six hundred fifty-seven point five (657.5), seven hundred eighteen point twenty-three (718.23), seven hundred sixty-one point fifteen (761.15), seven hundred sixty-two point thirty-six (762.36), seven hundred sixty-two point thirty-seven (762.37), seven hundred sixty-two point forty (762.40), seven hundred sixty-two point forty-five (762.45) through seven hundred sixty-two point fifty-two (762.52), inclusive, seven hundred sixty-six point four (766.4), seven hundred sixty-nine point thirty-three (769.33), seven hundred sixty-nine point thirty-four (769.34), and chapters three hundred sixty-seven (367), six hundred one (601), six hundred two (602), six hundred three (603), and seven hundred fifty-three (753), Code 1971, are repealed.

Sec. 283. EFFECTIVE DATE. The provisions of this Act shall take effect as provided in this section.

1. The provisions of sections twelve (12) through nineteen (19), inclusive, of this Act relating to the powers and duties of county judicial magistrate appointing commissions shall take effect on July 1, 1972.

2. The provisions of sections six (6) and seven (7) of this Act relating to the powers and duties of judicial nominating commissions shall take effect on July 1, 1972.

3. The remaining sections of this Act, except for

those expressly providing otherwise, shall take effect on July 1, 1973.

b. Page 1, by amending the title by striking all of said title after the word "Act" and inserting in lieu thereof the following:

"to provide a unified trial court having district court judges, district associate judges, and judicial magistrates; to discontinue inferior courts; to establish traffic violations offices within the district court to receive uniform traffic violation penalties; to prescribe procedures for district courts, and providing penalties."

On the part of the Senate:
TOM RILEY, Chairman
HAROLD A. THORSDEN
FRANCIS L. MESSERLY

On the part of the House:
CHARLES H. PELTON, Chairman
CHARLES E. GRASSLEY
GEORGE J. KNOKE
RICHARD M. RADL

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Miller of Marshall, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate Files 274, 1026, 1110, 1172, 1198 and 1201.

ELIZABETH R. MILLER
Chairman, House Committee
JOHN C. RHODES
Chairman, Senate Committee

Report adopted.

BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House the following bills: Senate Files 274, 1026, 1110, 1172, 1198 and 1201.

AMENDMENTS FILED

- 1 Amend Senate Amendment to House File 1156 as follows:
- 2 1. By striking lines 24 through 31 and inserting
- 3 in lieu thereof the following:
- 4 Page 6, by inserting after line 4, the
- 5 following new section:
- 6 "Sec. Notwithstanding the provisions
- 7 of section four hundred twenty-seven point one
- 8 (427.1) of the Code, all real and personal property
- 9 of the authority, and all buildings, structures
- 10 and improvements placed thereon, shall be valued,
- 11 assessed, placed upon the tax rolls and be taxed

12 as provided by law."

13 2. By renumbering the remaining sections.

HILL of Polk
SKINNER of Polk
KENNEDY of Chickasaw

1 Amend House File 1214 as follows:

2 1. Page 2, by striking line 26 and inserting in
3 lieu thereof the words "Sections one (1) through
4 three (3) of this Act shall relate to only the general
5 fund".

6 2. Page 2, by inserting the following new section
7 after line 28:

8 "Sec. The board of supervisors in each county
9 shall establish and fund a merit pay plan for elected
10 county officials and their deputies whose compensation
11 is established in chapters three hundred thirty-one
12 (331) and three hundred forty (340) of the Code. Such
13 plan shall be established to provide incentives to
14 elected officials and deputies to achieve efficient
15 and effective county government administration. The
16 supervisors in establishing the plan may take into
17 consideration assumption of new responsibility assigned
18 to county officials by the state, increase in the cost
19 of living, and exceptional performance of duties. The
20 board of supervisors shall not fund the merit pay plan
21 unless the county auditor certifies that there is a
22 balance of unexpended funds at the end of the fiscal
23 year. No funds other than such unexpended balance
24 shall be used to fund the county merit pay plan. The
25 board shall not exceed limitations on merit pay
26 increases established by federal law or regulation or
27 exceed a total of one hundred dollars for every three
28 points increase in the United States department of
29 labor consumer price index as published for July 1969.

30 The establishment and funding of county merit pay
31 plans shall not be subject to any review or affirma-
32 tion other than those audits or reviews required for
33 the administration of the county general fund.

34 This section is repealed effective July 1, 1974,
35 however all merit pay increases granted from July 1,
36 1972 through July 1, 1974 shall not be rescinded, but
37 shall remain in effect."

38 3. Page 1, line 1, by amending the title by strik-
39 ing the words "funding of" and by striking the word
40 "plan" and inserting in lieu thereof the word "plans".

REX of Hamilton
EDELLEN of Emmet

1 Amend the Bray, et al., amendment to House File 1300,
2 filed March 14, 1972, by inserting after the period in
3 line 126 the following:

4 " 'Active duty' in the armed forces of the United
5 States means full-time duty in the armed forces of the
6 United States, excluding active duty for training

7 purposes only and excluding any period a person was
 8 assigned by the armed forces to a civilian institution
 9 for a course of education or training which was sub-
 10 stantially the same as established courses offered to
 11 civilians, or as a cadet or midshipman, however
 12 enrolled, at one of the service academies."

MONROE of Des Moines

1 Amend the Bray, et al., amendment to House File 1300,
 2 filed March 14, 1972, by striking lines 4 through 14,
 3 renumbering the remaining sections, and correcting
 4 internal references.

MONROE of Des Moines

1 Amend the Bray, et al., amendment to House File
 2 1300, filed March 14, 1972, by inserting after the
 3 period in line 45 the following:
 4 "The board may make direct grants to a veteran
 5 as defined in this Act, when the board determines that
 6 a veteran has an immediate need for financial assist-
 7 ance which can best be solved by a direct grant."

MONROE of Des Moines

1 Amend House File 1300, by inserting on page 4, line
 2 4, after the period the words "In addition, every
 3 person otherwise qualified under this section who was
 4 a prisoner of war or was listed as missing in action
 5 shall be entitled to receive from the service compensa-
 6 tion fund an additional twelve and one-half dollars
 7 for each month that such person was a prisoner of war
 8 or was listed as missing in action."

RODGERS of Dallas

1 Amend Senate File 1203 as follows:
 2 Page 2, line 9, by adding after the words
 3 "state guard" the following: ", which facilities
 4 shall be located at Waterloo and Ottumwa, Iowa".

SCHWARTZ of Wapello

1 Amend House Concurrent Resolution 127 as follows:
 2 1. By striking from the first "Whereas" clause
 3 on the first line the word "property".
 4 2. By striking from the third "Whereas" clause
 5 on the third line the word "area" and inserting in
 6 lieu thereof the words "and other areas".
 7 3. By striking from the first "resolving" clause
 8 on the fourth line the word "property".

FREEMAN of Buena Vista
 COCHRAN of Webster

On motion by Varley of Adair, the House adjourned until
 9:00 a.m., Thursday, March 16, 1972.

JOURNAL OF THE HOUSE

Sixty-seventh Calendar Day—Forty-ninth Session Day

HALL OF THE HOUSE OF REPRESENTATIVES
DES MOINES, IOWA, THURSDAY, MARCH 16, 1972

The House met pursuant to adjournment, Speaker Harbor in the chair.

Prayer was offered by the Reverend Donald Wilkowski, pastor of the Lutheran Church, Sloan, Iowa.

The Journal of Wednesday, March 15, 1972, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:
Cochran of Webster for March 16 and 17 by the Speaker.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Don Otilie, Oelwein, Iowa.

PRESENTATION OF VISITORS

Scott of Cerro Gordo presented to the House Estela Castro of Argentina, a Foreign Exchange Student attending school at Sheffield-Chapin Community School, Sheffield, Iowa.

The Speaker announced that the following visitors were present in the House chamber:

Forty senior students from Durant High School, Durant, Iowa, accompanied by Steve Reinert and Betty Paul. By Hamilton of Cedar.

Twenty-five eighth grade students from Visitation Catholic School, Des Moines, Iowa, accompanied by Dennis Hiatt. By Bennett of Polk.

Twenty-nine senior students from Sheffield-Chapin High School, Sheffield, Iowa, accompanied by Steven Spurr. By Scott of Cerro Gordo.

The Floyd Valley basketball team accompanied by their coaches, Jim Ver Meer and Gene Thompson. By Den Herder of Sioux and Stokes of Plymouth.

Twenty-seven senior students from Stuart-Menlo Community

School, Stuart, Iowa, accompanied by Beth Thompson. By Fisher of Greene.

One hundred seventeen elementary students from the Bridgeway Project at Grant School, Waterloo, Iowa, accompanied by Mrs. Harvey. By Ewell of Black Hawk.

Fifty-five students from Panora-Linden Community School, Panora, Iowa, accompanied by Mary Jane Carson and Hal Rosow. By Rodgers of Dallas.

PETITIONS FILED

The following petitions were received and placed on file:

By Nielsen of Shelby from fifty-three Shelby County officers and employees favoring passage of House File 95, relating to IPERS benefits.

By Christensen of Union from one hundred thirty residents of Ringgold County opposing the killing of dogs in an inhumane manner.

COMMUNICATION FROM THE SECRETARY OF STATE

March 16, 1972

Mr. William R. Kendrick
Chief Clerk of the House
State Capitol Building
Des Moines, Iowa 50319

I hereby certify that Senate File 1014 was published in The Cedar Rapids Gazette, Cedar Rapids, Iowa, March 7, 1972, and in The Marion Sentinel, Marion, Iowa, March 9, 1972.

I further certify that Senate File 1046 was published in the Marshalltown Times-Republican, Marshalltown, Iowa, March 6, 1972, and in the Eldora Herald-Ledger, Eldora, Iowa, March 14, 1972.

Respectfully submitted,

MELVIN D. SYNHORST
Secretary of State

SENATE MESSAGES CONSIDERED

Senate File 1170, a bill for an act relating to the department of agriculture and inspection services.

Read first time and referred to the **sifting committee**.

Senate File 1204, a bill for an act making an appropriation to the Iowa law-enforcement academy for the construction of a building.

Read first time and referred to committee on **appropriations**.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File 107, a bill for an act relating to the use of school lunch facilities by senior citizens.

Also: That the President of the Senate has appointed as members of the third conference committee on Senate File 85, a bill for an act creating a department of environmental quality, on the part of the Senate: the Senator from Linn, Mr. Potter, chairman; the Senator from Polk, Mr. Carlson; the Senator from Sioux, Mr. DeKoster, and the Senator from Woodbury, Mr. Gross.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File 1190, a bill for an act relating to the regulation of county homes.

Also: That the Senate has adopted the following concurrent resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 119, providing for payment of the expenses of members of the General Assembly attending committee meetings between sessions.

Also: That the Senate has adopted the following concurrent resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 120, providing for the President of the Senate and the Speaker of the House of Representatives to receive a gift of a desk similar to those now being used in their official capacity during the Sixty-fourth General Assembly.

Also: That the Senate has adopted the following concurrent resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 121, authorizing the President of the Senate and the Speaker of the House of Representatives to determine the policies necessary for the closing of the 1972 session of the General Assembly and the reconvening of the 1973 session of the General Assembly.

Also: That the Senate has adopted the following concurrent resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 122, providing that the Legislative Council determine the priorities of the resolutions, calling for interim studies, not adopted by the Second Session of the Sixty-fourth General Assembly.

CARROLL A. LANE, Secretary

SENATE CONCURRENT RESOLUTION 119

By Lamborn and Gaudineer

Whereas, various committee meetings pertaining to the operation of legislative research and legislative services are held between sessions of the General Assembly; and

Whereas, the President of the Senate and the Speaker of the House have

the authority to appoint representatives of the General Assembly to attend certain meetings; and

Whereas, it appears advantageous to eliminate the necessity of filing bills in the ensuing legislative session to cover the actual expenses of such representatives and such committee members; *Now, Therefore*,

Be It Resolved by the Senate, the House Concurring: That the actual expenses of such representatives and such committee members in attending the above-described meetings shall be paid upon the filing of their expense accounts, subject to the approval of the President of the Senate, for the Senate, and the Speaker of the House, for the House. The state comptroller is authorized and directed to issue warrants in payment of same upon requisition signed by the President of the Senate and the Speaker of the House as provided in sections two point ten (2.10), two point eleven (2.11), two point twelve (2.12), and two point thirteen (2.13), Code 1971.

Laid over under Rule 25.

SENATE CONCURRENT RESOLUTION 120

By Lamborn and Gaudineer

Be It Resolved by the Senate, the House Concurring: That the President of the Senate and the Speaker of the House of Representatives be presented with desks similar to those now being used in their official capacity, and that the custodian of the state house be instructed to crate such furniture for shipment to the home residence of the President of the Senate and the Speaker of the House.

Be It Further Resolved: That the Secretary of the Senate and the Chief Clerk of the House be authorized and directed to procure suitable name plates to be properly engraved and attached to the furniture.

Laid over under Rule 25.

SENATE CONCURRENT RESOLUTION 121

By Lamborn and Gaudineer

Be It Resolved by the Senate, the House Concurring: That the President of the Senate and the Speaker of the House of Representatives are authorized to determine the policies incident to the details of closing the 1972 second regular session of the Sixty-fourth General Assembly, interim staff and work, and the reconvening of the 1973 first regular session of the Sixty-fifth General Assembly and any special session which may be convened.

Be It Further Resolved: That the Secretary of the Senate and the Chief Clerk of the House shall make an inventory of all equipment and supplies on hand at the close of the session.

Be It Further Resolved: That the Executive Council, in accordance with section nineteen point twenty-five (19.25), Code 1971, shall provide all the supplies required for the Sixty-fifth General Assembly, both while in session and during the interim between sessions, upon requisition signed by the Secretary of the Senate for the Senate and the Chief Clerk of the House for the House.

Be It Further Resolved: That the Secretary of the Senate and the Chief Clerk of the House are authorized to reserve for the exclusive use of the General Assembly during the interim the chamber and such rooms now used

by said General Assembly as may be necessary for any official use and for the purpose of storing supplies and equipment, as they may deem proper and advisable. The Executive Council shall not make assignments except with the consent of the Secretary of the Senate or the Chief Clerk of the House.

Be It Further Resolved: That the Secretary of the Senate and the Chief Clerk of the House shall make a complete survey of all the typewriters on hand for the purposes of determining the advisability of replacing some of the equipment. The machines to be replaced shall be appraised and made immediately available to the Secretary of the Executive Council for distribution, for trade-in to typewriter suppliers, or for sale at amounts based on the appraisal. The legislative fund shall be credited with any funds received, or with the appraised value of the machines, if the same are distributed to other state departments or traded in. All other equipment shall be stored in rooms reserved by the legislative officials above designated who shall have custody of the same and make it available for the following session of the General Assembly.

Be It Further Resolved: That any officers or employees of the Sixty-fourth General Assembly who shall be engaged for work in connection with the General Assembly during the interim between sessions, shall be compensated for such services at the same rate as was fixed during the regular session of the Sixty-fourth General Assembly.

Laid over under Rule 25.

SENATE CONCURRENT RESOLUTION 122

By Lamborn and Gaudineer

Whereas, large numbers of resolutions have been introduced in both the Senate and the House of Representatives calling for interim studies of numerous state functions; and

Whereas, in the waning hours of the Second Session of the Sixty-fourth General Assembly it is impractical to accurately determine during floor debate the amount of hours of staff time required to complete such studies, within the limitations of funds which will be available, and assign precise priorities;

Now, Therefore, Be It Resolved by the Senate, the House Concurring: That all resolutions calling for interim studies by the Legislative Council and by the Legislative Service Bureau which have not been adopted in both houses be delivered to the President pro tempore, on the part of the Senate, and the Speaker of the House, on the part of the House, for consideration by the Legislative Council, which shall determine priorities and authorize such studies as may be feasible within the limits of the staff, time and funds available.

Laid over under Rule 25.

MOTION TO RECONSIDER WITHDRAWN

(Senate File 1096)

Egenes of Story called up for consideration her motion to reconsider Senate File 1096, a bill for an act relating to tax assessment procedures, filed on March 10, 1972, and found on

page 1057 of the House Journal, and asked and received unanimous consent to withdraw her motion.

MOTION TO RECONSIDER
(House File 1291)

I move to reconsider the vote by which House File 1291 passed the House on March 15, 1972.

RADL of Linn

SENATE AMENDMENTS CONSIDERED
HOUSE FILE 1265 DEFERRED

Drake of Muscatine called up for consideration **House File 1265**, a bill for an act relating to the 1972 primary election, amended by the Senate, and moved that the House concur in the following Senate amendment:

Amend House File 1265, as amended and passed by the House, as follows:

1. Page 5, line 26, by striking the words "prior to".
2. Page 5, line 27, by striking the words "May 31, 1972, or".
3. Page 5, line 32, by striking the words "prior to April 30, 1972, or"
4. Page 7, line 20, by inserting after the word "Code." the following:

"However, the term of office of party committeemen elected prior to August 1, 1972, shall be for a full term if the boundaries of the precinct from which they were elected are not changed by August 1, 1972."

5. Page 8, by inserting after line 13, the following new sections:

"Sec. For the year 1972 only, nomination papers in the form prescribed by section forty-three point fourteen (43.14) of the Code shall be legal and valid notwithstanding the fact that they refer to the primary election to be held in June, 1972, or the reference to June, 1972, is struck through or is changed.

Sec. For the year 1972 only, nomination papers otherwise meeting the requirements of sections forty-three point fifteen (43.15) and forty-three point seventeen (43.17) of the Code shall be legal and valid, notwithstanding the fact that they were signed before the supreme court established new election districts so long as the place shown as the residence of the persons signing the nomination papers is in the new district established by the supreme court, and notwithstanding the fact that the election district may be described on the nomination paper by a number different from that assigned to the new district created by the supreme court.

- Sec. Affidavits of candidacy otherwise meeting the

requirements of section forty-three point eighteen (43.18) of the Code shall be legal and valid notwithstanding the fact that a candidate filing the same describes the legislative district from which he is seeking office by a number other than that assigned to the new district by the supreme court."

6. Renumber sections and correct internal references as are necessary in accordance with this amendment.

The motion prevailed and the House concurred in the Senate amendment.

(House File 1265 deferred and retained its place on the calendar.)

HOUSE RULE 36 SUSPENDED

Varley of Adair asked and received unanimous consent that House Rule 36 be suspended for the consideration of House bills now on the appropriations calendar.

CONSIDERATION OF BILLS APPROPRIATIONS CALENDAR

House File 1214, a bill for an act relating to funding of the merit system pay plan and making an appropriation, was taken up for consideration.

Camp of Clinton offered the following amendment filed by him and moved its adoption:

Amend House File 1214 as follows:

1. Page 2, line 19, by adding after the period the following:

"The implementation or salary adjustments shall be made under the Iowa merit employment commission rules and regulations in effect on March 1, 1972."

2. Page 2, line 26, by striking the word "This" and inserting in lieu thereof the words "Except as provided in section five (5), this".

3. Page 2, following line 28 insert the following new section:

"Sec. 5. Any salary adjustments or implementations of any changes in the classification and pay plan for the fiscal year beginning July 1, 1972 which relate to funds other than the general fund of the state shall be carried out in the same manner and under the same rules and regulations as changes made for the general fund accounts as provided in this Act."

The amendment was adopted.

Rex of Hamilton asked and received unanimous consent to

withdraw the amendment filed by him and Edelen of Emmet on March 3, 1972, and found on page 938 of the House Journal.

Rex of Hamilton offered the following amendment filed by him and Edelen of Emmet:

Amend House File 1214 as follows:

1. Page 2, by striking line 26 and inserting in lieu thereof the words "Sections one (1) through three (3) of this Act shall relate to only the general fund".

2. Page 2, by inserting the following new section after line 28:

"Sec. The board of supervisors in each county shall establish and fund a merit pay plan for elected county officials and their deputies whose compensation is established in chapters three hundred thirty-one (331) and three hundred forty (340) of the Code. Such plan shall be established to provide incentives to elected officials and deputies to achieve efficient and effective county government administration. The supervisors in establishing the plan may take into consideration assumption of new responsibility assigned to county officials by the state, increase in the cost of living, and exceptional performance of duties. The board of supervisors shall not fund the merit pay plan unless the county auditor certifies that there is a balance of unexpended funds at the end of the fiscal year. No funds other than such unexpended balance shall be used to fund the county merit pay plan. The board shall not exceed limitations on merit pay increases established by federal law or regulation or exceed a total of one hundred dollars for every three points increase in the United States department of labor consumer price index as published for July 1969.

The establishment and funding of county merit pay plans shall not be subject to any review or affirmation other than those audits or reviews required for the administration of the county general fund.

This section is repealed effective July 1, 1974, however, all merit pay increases granted from July 1, 1972 through July 1, 1974 shall not be rescinded, but shall remain in effect."

3. Page 1, line 1, by amending the title by striking the words "funding of" and by striking the word "plan" and inserting in lieu thereof the word "plans".

Kreamer of Polk rose on a point of order that the amendment was not germane.

The Speaker ruled the point well taken.

Blouin of Dubuque offered the following amendment from the floor and moved its adoption:

Amend House File 1214, page 2, by striking from lines 21 and 22 the words "and state comptroller".

A non-record roll call was requested.

The ayes were 31, nays 49.

The amendment lost.

The House was recessed until 1:30 p.m.

AFTERNOON SESSION

The House reconvened, Kreamer of Polk in the chair.

The House resumed consideration of House File 1214.

Jesse of Polk offered the following amendment from the floor and moved its adoption:

Amend House File 1214, page 2, by striking all after the word "from" in line 5 and all of lines 6 through 13 inclusive, and inserting in lieu thereof the following: "the general fund of the state on June 30, 1972, the sum of one million five hundred thousand dollars or so much thereof as may be necessary to carry out the provisions of section three (3) of this Act."

Roll call was requested by Jesse of Polk and Blouin of Du-buque.

On the question "Shall the amendment be adopted?"

The ayes were, 30:

Anania	Gluba	Monroe	Schwartz
Bennett	Husak	Norpel	Scott
Blouin	Jesse	Patton	Skinner
Bray	Johnston	Priebe	Small
Dougherty	Kinley	Radl	Uban
Doyle	Knoblauch	Sargisson	Wells
Ewell	Larson	Schmeiser	Willits
Franklin	McCormick		

The nays were, 54:

Alt	Freeman	Miller	Stromer
Andersen	Grassley	Moffitt	Strothman
Bergman	Hamilton	Nystrom	Taylor
Camp	Hansen	Pellett	Tieden
Campbell	Hill	Pierson	Trowbridge
Christensen	Holden	Rex	Varley
Clark	Kehe	Roorda	Waugh
Curtis	Knoke	Schroeder	Welden
Drake	Kruse	Schwieger	Winkelman
Edelen	Lipsky	Siglin	Wirtz
Egenes	Logemann	Sorg	Wyckoff
Ellsworth	McElroy	Stanley	Mr. Speaker
Fischer, H. O.	Mendenhall	Stokes	(Kreamer)
Fisher, C. R.	Menefee	Strand	

Absent or not voting, 16:

Cochran	Harbor	Mayberry	Nielsen
Den Herder	Kelly	Middleswart	Pelton
Dunton	Kennedy	Millen	Rodgers
Goode	Lawson	Mollett	Shaw

The amendment lost.

Camp of Clinton moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1214)

The ayes were, 84:

Alt	Freeman	Menefee	Siglin
Anania	Gluba	Middleswart	Skinner
Andersen	Grassley	Miller	Small
Bennett	Hamilton	Moffitt	Sorg
Bergman	Hansen	Monroe	Stanley
Blouin	Hill	Norpel	Stokes
Bray	Holden	Nystrom	Strand
Camp	Husak	Patton	Stromer
Campbell	Jesse	Pellett	Strothman
Christensen	Johnston	Pierson	Taylor
Clark	Kinley	Priebe	Tieden
Curtis	Knoblauch	Rex	Trowbridge
Den Herder	Knoke	Rodgers	Varley
Dougherty	Kruse	Roorda	Waugh
Doyle	Larson	Sargisson	Wells
Drake	Lawson	Schmeiser	Willits
Dunton	Lipsky	Schroeder	Winkelman
Egenes	Logemann	Schwartz	Wirtz
Ellsworth	McCormick	Schwieger	Wyckoff
Ewell	McElroy	Scott	Mr. Speaker
Fisher, C. R.	Mendenhall	Shaw	(Kreamer)
Franklin			

The nays were, 8:

Edelen	Kehe	Mayberry	Uban
Fischer, H. O.	Kelly	Radl	Welden

Absent or not voting, 8:

Cochran	Harbor	Millen	Nielsen
Goode	Kennedy	Mollett	Pelton

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

HOUSE FILE 1300 PENDING

House File 1300, a bill for an act relating to Vietnam veterans' service compensation fund, authorizing the state of Iowa to become indebted in the amount of twenty-eight million dollars and providing for the issue and sale of bonds of the state in evidence thereof, and providing for the imposition, levy and collection of a direct annual tax sufficient to pay the principal and

interest of the bonds and providing a penalty, was taken up for consideration.

Bray of Scott offered the following amendment filed by Bray, et al., and moved its adoption:

Amend House File 1300 as follows:

1. By striking everything after the enacting clause and inserting in lieu thereof the following:

“Section 1. **DECLARATION OF POLICY.** The state of Iowa, cognizant of the destructiveness of the Vietnam war upon the lives of persons around the world, and particularly the lives of Iowans who have served in the military service during this period, deems it fitting to embark upon a program of service compensation to remedy the destructiveness of this war upon citizen soldiers of our state. To that end, this Act seeks to provide total compensation to our citizen soldiers and to forego the token one-time dollar payments, a custom of deteriorating value.

Sec. 2. **A SERVICE COMPENSATION BOARD.** There is hereby created a board to be known as the service compensation board which shall consist of the auditor of state, the treasurer of state and three public members each appointed by the governor to serve a term of four years. The public members of the board shall be knowledgeable of the scope of problems confronting the veteran attempting to reestablish himself as a citizen in the state of Iowa.

Sec. 3. **DUTIES OF THE BOARD.** The board shall gather, collect and analyze all pertinent information and facts regarding the needs of veterans returning to Iowa and analyze the resources available to the veterans from all sources to meet such needs. After such analyses the board shall prepare comprehensive programs it deems advisable with technical aid and assistance from the legislative service bureau to supplement and expand resources available from the federal government or to create entirely new state resources for veterans. The board's inquiry into the needs of returning veterans shall include, but is not limited to, employment; drug abuse; education, vocational training; physical and mental rehabilitation, treatment or care; family problems occasioned by former military service, including needs of widows and widowers of veterans; and the adoption in Iowa of children fathered by American servicemen in foreign countries. The board shall, within the limit of available funds, hire employees and clerical staff and purchase the supplies necessary to carry out the provisions of this Act.

Sec. 4. The board shall promulgate rules and regulations under chapter seventeen A (17A) of the

Code for programs established under the authority of this Act.

Sec. 5. The board shall make an annual report to the general assembly, evaluating programs and accounting for all expenditures authorized by this Act.

Sec. 6. The public members of the board shall receive as compensation their necessary actual expenses to be paid from the service compensation fund.

Sec. 7. TAX IMPOSED—ADMINISTRATION.

1. An additional tax, or surtax, is imposed annually upon every person liable to pay a computed tax pursuant to chapter four hundred twenty-two (422), division two (II), of the Code, at rates specified in subsection four (4), paragraph a, of this section.

2. An additional tax, or surtax, is imposed annually upon every corporation liable to pay a computed tax pursuant to chapter four hundred twenty-two (422), division three (III), of the Code, at rates specified in subsection four (4), paragraph b, of this section.

3. An additional tax, or surtax, is imposed annually upon every financial institution liable to pay a computed franchise tax pursuant to chapter four hundred twenty-two (422), division five (V), of the Code, at rates specified in subsection four (4), paragraph c, of this section.

4. a. The additional tax imposed under subsection one (1) of this section is computed by applying the rate of two percent to the computed tax, after the deduction of personal exemptions, of the person as determined under chapter four hundred twenty-two (422), division two (II), of the Code.

b. The additional tax imposed under subsection two (2) of this section is computed by applying the rate of two percent to the computed tax of the corporation as determined under section four hundred twenty-two point thirty-three (422.33) of the Code.

c. The additional tax imposed under subsection three (3) of this section is computed by applying the rate of two percent to the computed franchise tax of the financial institution as determined under section four hundred twenty-two point sixty-three (422.63) of the Code.

5. For the purposes of administering the provisions of this section the provisions of chapter four hundred twenty-two (422) of the Code relating to the administration of the state individual income tax, corporate income tax and franchise tax, as applicable, including but not limited to the withholding of income taxes, declaration of estimated

taxes, form and time of returns, the payment of income taxes and interest and penalties, refunds, revisions, appeals, attachment of liens, confidentiality of records, powers of the director of revenue, and civil and criminal penalties, shall govern the administration of this section. The director of revenue shall place on the state income tax return a separate line item entitled 'Vietnam veterans' compensation surtax' upon which shall be computed the tax imposed by this section.

6. The provisions of this section shall be effective for all taxable years beginning on or after January 1, 1973.

Sec. 8. DEFINITION. A veteran is defined as any person, male or female, who served on active duty, in the armed forces of the United States, at any time between August 5, 1964 and ending on the date set by Congress for cessation of hostilities in Vietnam, Cambodia, Laos, and Thailand, all dates inclusive, and who at the time of entering into service was a legal resident of the state of Iowa, and who had maintained such residence for a period of at least six months immediately prior thereto, and was separated or discharged from such service, or has been retired, or has been furloughed to a reserve, or has been placed on inactive status.

Sec. 9. There is created in the office of the treasurer of state a fund into which shall be deposited all funds received from the taxes imposed by this section and shall be known as the service compensation fund.

The service compensation board shall expend amounts it deems necessary from the service compensation fund, but it shall not expend a total amount greater than is in the fund.

All funds raised pursuant to the tax imposed by section seven (7) of this Act shall be deposited in the service compensation fund. All funds deposited in the service compensation fund are appropriated to the service compensation board for the purpose of carrying out the provisions of this Act.

All federal grants to and the federal receipts of the service compensation board are appropriated for the purpose set forth in the federal grants or receipts."

2. Page 1, amend the title by striking everything after the word "relating" on line 1 and inserting in lieu thereof the following:

"to a service compensation board, its duties, imposing a tax, and making an appropriation."

Norpel of Jackson offered the following amendment to the amendment from the floor:

Amend the Bray, et al., amendment to House File 1300, filed March 14, 1972, by striking all of lines 1 through 150.

Norpel of Jackson rose on a point of order that the Bray amendment was not germane.

The Speaker ruled the point not well taken.

Norpel of Jackson moved the adoption of his amendment.

Roll call was requested by Bray of Scott and Norpel of Jackson.

On the question "Shall the amendment be adopted?"

The ayes were, 53:

Alt	Fisher, C. R.	Millen	Stokes
Anania	Freeman	Moffitt	Strand
Andersen	Hamilton	Norpel	Stromer
Bennett	Hansen	Nystrom	Strothman
Bergman	Holden	Patton	Taylor
Camp	Husak	Pellett	Tieden
Christensen	Kehe	Radl	Varley
Den Herder	Kinley	Rex	Welden
Dougherty	Knoblauch	Rodgers	Winkelman
Doyle	Kruse	Sargisson	Wirtz
Dunton	Logemann	Schwartz	Wyckoff
Edelen	McElroy	Sorg	Mr. Speaker
Egenes	Mendenhall	Stanley	(Kreamer)
Ellsworth	Menefee		

The nays were, 33:

Blouin	Johnston	Monroe	Siglin
Bray	Kelly	Pelton	Skinner
Campbell	Knoke	Pierson	Small
Clark	Larson	Priebe	Trowbridge
Curtis	Lipsky	Schmeiser	Uban
Ewell	Mayberry	Schwieger	Waugh
Gluba	McCormick	Scott	Wells
Hill	Middleswart	Shaw	Willits
Jesse			

Absent or not voting, 14:

Cochran	Goode	Lawson	Nielsen
Drake	Grassley	Miller	Roorda
Fischer, H. O.	Harbor	Mollett	Schroeder
Franklin	Kennedy		

The amendment to the amendment was adopted.

Bray of Scott moved that the list of sponsors and explanation on the Bray amendment be withdrawn.

The motion prevailed.

Monroe of Des Moines offered the following amendment from the floor:

Amend House File 1300 as follows:

1. Page 2, lines 6 and 7, strike the words "payment of service compensation to the persons defined" and insert in lieu thereof the words "purposes provided".

2. Page 2, lines 8 and 9, strike the words and figure "or for the benefit of such persons as prescribed by section four (4) of this Act,".

3. Page 2, lines 27 and 28, strike the words and figure ", and to make the payments, provided under section four (4) of this Act".

4. Page 3, lines 16 and 17, strike the words "distributed to the persons entitled thereto" and insert in lieu thereof the words "expended by the service compensation board".

5. Page 3, strike lines 21 through 35, strike all of page 4, and strike lines 1, 2, and 3 on page 5, and insert in lieu thereof the following:

"Sec. 4. DUTIES OF THE BOARD. The board shall gather, collect and analyze all pertinent information and facts regarding the needs of veterans returning to Iowa and analyze the resources available to the veterans from all sources to meet such needs. After such analyses the board shall prepare comprehensive programs it deems advisable with technical aid and assistance from the legislative service bureau to supplement and expand resources available from the federal government or to create entirely new state resources for veterans. The board's inquiry into the needs of returning veterans shall include, but is not limited to, employment; drug abuse; education, vocational training; physical and mental rehabilitation, treatment or care; family problems occasioned by former military service, including needs of widows and widowers of veterans; and the adoption in Iowa of children fathered by American servicemen in foreign countries. The board shall, within the limit of available funds, hire employees and clerical staff and purchase the supplies necessary to carry out the provisions of this Act. The board may make direct grants to veterans, in amounts not to exceed five hundred dollars to a single veteran, when the board determines that a veteran has an immediate need for financial assistance which can best be solved by a direct grant.

Sec. 5. DEFINITIONS. A veteran is defined as any person, male or female, who served on active duty, in the armed forces of the United States, at any time between August 5, 1964 and ending on the date set by Congress for cessation of hostilities in Vietnam, Cambodia, Laos, and Thailand, all dates inclusive, and who at the time of entering into service was a legal resident of the state of Iowa, and who had maintained such residence for a period of at least six months immediately prior thereto, and was sepa-

rated or discharged from such service, or has been retired, or has been furloughed to a reserve, or has been placed on inactive status. Active duty in the”.

6. Page 5, line 18, insert after the word “applications” the words “for grants or other services as provided under this Act.”.

7. Page 6, lines 4, 5, and 6, strike the words “such amount as he is entitled to as determined by the court from the service compensation fund and, in addition, he shall be paid”.

8. Page 6, lines 8, 9, and 10, strike the words “When any application has been approved by the board, payment shall be made to the applicant in accordance with the provisions of this Act.”

9. Page 6, line 12, strike the words “compensation claims” and insert in lieu thereof the words “expenses incurred in providing the grants or other services”.

10. Page 6, lines 25 and 26, strike the words and figure “persons within the classes as defined in section four (4) of this Act” and insert in lieu thereof the word “veterans”.

11. Page 6, strike lines 31 through 35, and page 7, strike lines 1 through 5, and insert in lieu thereof the following:

“Sec. 8. DISSOLUTION OF BOARD. The service compensation board shall dissolve and cease its activities on the date which is five years after the date set by Congress for cessation of hostilities in Vietnam, Cambodia, Laos, and Thailand.”

12. Page 8, lines 30 and 31, strike the words “all claims have been paid” and insert in lieu thereof the words “the service compensation board dissolves”.

Division of the amendment was requested.

Monroe of Des Moines moved the adoption of lines 1 through 45 of his amendment.

Lines 1 through 45 lost.

Monroe of Des Moines asked and received unanimous consent to withdraw lines 46 through 79 of his amendment.

Monroe of Des Moines moved the adoption of lines 80 through 87 of his amendment.

A non-record roll call was requested.

The ayes were 31, nays 47.

Lines 80 through 87 lost.

Small of Johnson offered the following amendment from the floor and moved its adoption:

Amend House File 1300, page 3, by striking lines 21

through 35 and page 4, lines 1 through 35 and inserting in lieu thereof the following:

"Sec. 4. PERSONS ENTITLED TO RECEIVE COMPENSATION.

Every person who has received the Vietnam Service Medal and who has served not less than one hundred twenty days on active duty in the armed forces of the United States at any time between July 1, 1958, and ending on the date set by Congress for cessation of hostilities in Vietnam, both dates inclusive, and who at the time of entering into service was a legal resident of the State of Iowa, and who had maintained such residence for a period of at least six months immediately prior thereto, and was honorably separated or discharged from such service, or is still in active service in an honorable status, or has been retired, or has been furloughed to a reserve, or has been placed on inactive status, shall be entitled to receive from the service compensation fund fifty (50) dollars for each month that such person was in active foreign service all prior to the date established by the Congress of the United States as the official date of cessation of hostilities in Vietnam not to exceed a total sum of seven hundred fifty (750) dollars. As used in this Act "foreign service" means service in southeastern Asia or service in direct support of American servicemen in southeastern Asia, such as direct air, naval, and logistics support. Compensation for a fraction of a month shall not be considered unless it be sixteen days or more, in which event it shall be computed as a full month. No person who has received a bonus or compensation of like nature, as provided in this Act, from another state shall be entitled to such compensation. Service in the merchant marine shall not be considered for the purposes of this Act. Service for six months or less for the sole purpose of training shall not be considered for the purposes of this Act. The surviving unmarried widow or widower, child or children, mother, or father, in the order named and none other, of any deceased person, shall be paid the compensation that such deceased person would be entitled to under this Act, if living; but, if any person has heretofore died or shall hereafter die, or is disabled, from service-connected causes incurred between August 5, 1964, and the date established by formal order of the government of the United States to cease hostilities, both dates inclusive, and who has not received the benefits of this Act, he or the first of survivors as designated by this Act and in the order named, shall be paid one thousand (1,000) dollars regardless of the length of such service. If an eligible beneficiary is a minor at the time compensation is payable, the same may".

A non-record roll call was requested.

The ayes were 18, nays 54.

The amendment lost.

Rodgers of Dallas offered the following amendment filed by him:

Amend House File 1300, by inserting on page 4, line 4, after the period the words "In addition, every person otherwise qualified under this section who was a prisoner of war or was listed as missing in action shall be entitled to receive from the service compensation fund an additional twelve and one-half dollars for each month that such person was a prisoner of war or was listed as missing in action."

Priebe of Kossuth offered from the floor the following Priebe-Knoblach-Anania-Wells amendment to the amendment and moved its adoption:

Amend the Rodgers amendment to House File 1300, filed March 15, 1972, line 6, by striking the words "twelve and one-half" and inserting in lieu thereof the word "twenty-five".

Roll call was requested by Priebe of Kossuth and Wyckoff of Benton.

On the question "Shall the amendment to the amendment be adopted?"

The ayes were, 35:

Anania	Hansen	Middlewart	Small
Bennett	Husak	Monroe	Stromer
Blouin	Jesse	Patton	Tieden
Bray	Johnston	Priebe	Uban
Clark	Kelly	Rodgers	Wells
Doyle	Kinley	Sargisson	Willits
Dunton	Knoblach	Schwartz	Winkelman
Egenes	Larson	Scott	Wirtz
Gluba	McCormick	Skinner	

The nays were, 43:

Alt	Grassley	Moffitt	Stanley
Andersen	Hamilton	Norpel	Stokes
Bergman	Holden	Nystrom	Strand
Campbell	Kehe	Pellett	Strothman
Christensen	Knoke	Pelton	Trowbridge
Curtis	Kruse	Pierson	Varley
Den Herder	Lawson	Rex	Waugh
Dougherty	Lipsky	Schwieger	Welden
Drake	Logemann	Shaw	Wyckoff
Ellsworth	Mendenhall	Siglin	Mr. Speaker
Freeman	Menefee	Sorg	(Kreamer)

Absent or not voting, 22:

Camp	Franklin	McElroy	Radl
Cochran	Goode	Millen	Roorda
Edelen	Harbor	Miller	Schmeiser
Ewell	Hill	Mollett	Schroeder
Fischer, H. O.	Kennedy	Nielsen	Taylor
Fisher, C. R.	Mayberry		

The amendment to the amendment lost.

Rodgers of Dallas moved the adoption of his amendment.

Roll call was requested by Rodgers of Dallas and Kelly of Woodbury.

On the question "Shall the amendment be adopted?"

The ayes were, 61:

Alt	Gluba	Mendenhall	Scott
Anania	Grassley	Menefee	Siglin
Bennett	Hansen	Middleswart	Skinner
Bergman	Hill	Moffitt	Strand
Blouin	Husak	Monroe	Stromer
Bray	Jesse	Norpel	Taylor
Campbell	Johnston	Nystrom	Tieden
Christensen	Kelly	Patton	Uban
Clark	Kinley	Pellett	Waugh
Den Herder	Knoblauch	Pierson	Wells
Dougherty	Kruse	Priebe	Willits
Doyle	Larson	Rodgers	Winkelman
Drake	Logemann	Sargisson	Wirtz
Dunton	Mayberry	Schmeiser	Mr. Speaker
Egenes	McCormick	Schwartz	(Kreamer)
Freeman	McElroy		

The nays were, 17:

Andersen	Knoke	Shaw	Trowbridge
Curtis	Lipsky	Stanley	Varley
Ellsworth	Rex	Stokes	Welden
Hamilton	Schwieger	Strothman	Wyckoff
Holden			

Absent or not voting, 22:

Camp	Franklin	Millen	Radl
Cochran	Goode	Miller	Roord
Edelen	Harbor	Mollett	Schroeder
Ewell	Kehe	Nielsen	Small
Fischer, H. O.	Kennedy	Pelton	Sorg
Fisher, C. R.	Lawson		

The amendment was adopted.

Gluba of Scott offered the following amendments from the floor and moved their adoption:

Amend House File 1300, page 3, line 18, by striking the words and figures "Twenty-eight million (28,000,000) and inserting in lieu thereof the words and figures "Thirty-four million thirty-four thousand (34,034,000)".

Amend House File 1300, page 4, line 28, by striking the word and figures "August 5, 1964" and inserting in lieu thereof the word and figures "July 1, 1958".

Roll call was requested by Gluba of Scott and Small of Johnson.

Under the provisions of Rule 71, Larson of Story refrained from voting.

On the question "Shall the amendments be adopted?"

The ayes were, 24:

Blouin	Jesse	Monroe	Skinner
Bray	Johnston	Pierson	Small
Christensen	Kelly	Priebe	Uban
Dunton	Kinley	Radl	Wells
Freeman	McCormick	Schwartz	Willits
Gluba	Middleswart	Scott	Wirtz

The nays were, 54:

Alt	Ellsworth	Menefee	Stokes
Anania	Fischer, H. O.	Moffitt	Strand
Andersen	Fisher, C. R.	Nielsen	Stromer
Bennett	Grassley	Norpel	Strothman
Bergman	Holden	Nystrom	Taylor
Camp	Husak	Pellett	Trowbridge
Campbell	Kehe	Pelton	Varley
Clark	Knoblauch	Rex	Waugh
Curtis	Knoke	Sargisson	Welden
Den Herder	Kruse	Schroeder	Winkelman
Dougherty	Lawson	Schwieger	Wyckoff
Drake	Logemann	Shaw	Mr. Speaker
Edelen	McElroy	Siglin	(Kreamer)
Egenes	Mendenhall	Stanley	

Absent or not voting, 22:

Cochran	Hansen	Mayberry	Rodgers
Doyle	Harbor	Millen	Roorda
Ewell	Hill	Miller	Schmeiser
Franklin	Kennedy	Mollett	Sorg
Goode	Larson	Patton	Tieden
Hamilton	Lipsky		

The amendments lost.

Trowbridge of Floyd offered the following amendment from the floor:

Amend House File 1300 as follows:

1. Strike all after the enacting clause and insert in lieu thereof the following:

Section 1. TAX IMPOSED.

1. In addition to the tax imposed under the provisions of section four hundred twenty-two point forty-three (422.43) of the Code, there is imposed an additional tax of one-half of one percent upon the gross receipts from all sales and services subject to tax under division four (IV) of chapter four hundred twenty-two (422) of the Code. The additional tax shall be collected at the same time and in the same manner as the tax imposed under section four hundred twenty-two point forty-three (422.43) of the Code.

2. In addition to the tax imposed under the pro-

visions of section four hundred twenty-three point two (423.2) of the Code, there is imposed an additional tax of one-half of one percent upon the use in this state of tangible personal property purchased for use in this state and subject to tax under chapter four hundred twenty-three (423) of the Code. The additional tax shall be collected at the same time and in the same manner as the tax imposed under chapter four hundred twenty-three (423) of the Code.

3. All moneys collected under the provisions of subsections one (1) and two (2) of this section shall be transferred by the director of revenue to the treasurer of state, who shall deposit the moneys in the service compensation fund created in section two (2) of this Act.

4. All provisions of law applicable to the collection and administration of the taxes imposed in division four (IV) of chapter four hundred twenty-two (422), and chapter four hundred twenty-three (423) of the Code, including but not limited to all powers of the director of revenue, and the imposition of interest and penalties, are applicable to the tax imposed under subsections one (1) and two (2) of this section.

5. The provisions of subsections one (1) and two (2) of this section shall become effective on January 1, 1973 and shall have no force and effect on or after January 1, 1974.

Sec. 2. SERVICE COMPENSATION FUND—APPROPRIATION.

A service compensation fund is created in the office of the treasurer of state. Moneys in the service compensation fund shall be distributed to the persons entitled thereto as provided under section three (3) of this Act. The service compensation fund, or so much thereof as may be necessary, is appropriated for the purpose of carrying out the provisions of this Act. Any balance remaining after all applications are processed and all eligible claims are paid shall revert to the general fund of the state.

Sec. 3. PERSONS ENTITLED TO RECEIVE COMPENSATION.

Every person, male or female, who served not less than one hundred twenty days on active duty, in the armed forces of the United States, at any time between August 5, 1964 and ending on the date set by Congress for cessation of hostilities in Vietnam, both dates inclusive, and who at the time of entering into service was a legal resident of the State of Iowa, and who had maintained such residence for a period of at least six months immediately prior thereto, and was honorably separated or discharged from such service, or is still in active service in an honorable status, or has been retired, or has been furloughed to a reserve, or has been placed on inactive

status, shall be entitled to receive from the service compensation fund ten dollars for each month that such person was in active domestic service, and twelve and one-half dollars for each month that such person was in active foreign service all prior to the date established by the Congress of the United States as the official date of cessation of hostilities, not to exceed a total sum of five hundred dollars. As used in this Act "foreign service" means service outside the continental limits of the North American continent, except service in the states of Alaska and Hawaii shall be deemed foreign service, and foreign service includes service in all territories of the United States. Compensation for a fraction of a month shall not be considered unless it be sixteen days or more in which event it shall be computed as a full month. No person shall be entitled to such compensation who received a bonus or compensation of like nature, as provided in this Act, from another state. A person shall not be entitled to such compensation who being in the service of the armed forces of the United States, subsequent to August 4, 1964 refused on conscientious, political, religious, or other grounds to subject himself to military discipline. Service in the merchant marine shall not be considered for the purposes of this Act. Service for six months or less for the sole purpose of training shall not be considered for the purposes of this Act. The surviving unmarried widow or widower, child or children, mother, father, or person standing in loco parentis, in the order named and none other, of any deceased person, shall be paid the compensation that such deceased person would be entitled to under this Act, if living; but, if any person has heretofore died or shall hereafter die, or is disabled, from service-connected causes incurred between August 5, 1964 and the date established by formal order of the government of the United States to cease hostilities, both dates inclusive, and who has not received the benefits of this Act, he or the first of survivors as designated by this Act, and in the order named, shall be paid five hundred dollars regardless of the length of such service. If an eligible beneficiary is a minor at the time compensation is payable, the same may be paid to a custodian duly recognized by the United States veterans administration.

Sec. 4. DEFINITION OF ACTIVE DUTY. "Active duty" in the armed forces of the United States means full time duty in the armed forces of the United States, excluding active duty for training purposes only and excluding any period a person was assigned by the armed forces to a civilian institution for a course of education or training which was sub-

stantially the same as established courses offered to civilians, or as a cadet or midshipman, however enrolled, at one of the service academies.

Sec. 5. SERVICE COMPENSATION BOARD. There is created a board to be known as the "service compensation board" to consist of the auditor of state, treasurer of state, and the adjutant general. The service compensation board shall dissolve and cease to function when all applications filed under the provisions of section seven (7) of this Act have been processed.

Sec. 6. APPLICATIONS FOR COMPENSATION—APPROVAL.

It is the duty of the service compensation board to administer the provisions of this Act, to examine all applications and approve or disapprove the same and make any investigation necessary to establish facts. In the event an application is disapproved by the board, the claimant may appeal to the district court of the state of Iowa in and for the county of his legal residence within a period of thirty days from date of mailing by registered mail of notice of such disapproval. The appeal shall be perfected by filing in the office of the board, a written notice of appeal setting forth the order or finding appealed from and the grounds of the appeal. Within thirty days after the filing of such notice of appeal the board shall make, certify, and file in the office of the clerk of the district court to which the appeal is taken, a full and complete transcript of all documents in the proceeding, including any depositions, a transcript or certification of the evidence, if reported, including the notice of appeal. The clerk shall forthwith docket such appeal. The appeal shall be heard in such district court as in equity de novo. Appeal may be taken to the supreme court from any final order or judgment or decree of the district court. A claimant who successfully appeals the disapproval of an application shall be paid such amount as he is entitled to as determined by the court from the service compensation fund and, in addition, he shall be paid the actual amount of legal fees incurred which legal fees shall be paid in the same manner as administrative costs. When any application has been approved by the board, payments shall be made to the applicant in accordance with the provisions of this Act. It is the duty of the board to prepare vouchers and transmit the same to the state comptroller in payment of the compensation claims provided for in this Act and other necessary administrative expenses. The comptroller shall issue a warrant for the amount stated therein and the treasurer of state shall pay such warrants out of said service compensation fund. The board may employ such assistants and incur such other expenses as

may be necessary for such administration and the carrying out of the provisions of this Act, and the funds necessary for such administration and carrying out the provisions of this Act shall be expended from the service compensation fund. Such assistants as the board may determine shall be exempt from the provisions of chapter nineteen A (19A) of the Code and shall give bond in an amount as may be fixed by the board, and shall, whenever practicable, be persons within the classes as defined in section three (3) of this Act. The board may make, adopt and promulgate rules and regulations for the carrying out of the provisions of this Act as it deems necessary and expedient and which are not inconsistent with any provisions of this Act.

Sec. 7. TIME FOR MAKING APPLICATIONS. Before receiving any compensation under the provisions of this Act, the claimant, or his successor in interest, shall file with the service compensation board, application on forms provided by the board. The application shall be filed within four years subsequent to the date established by the Congress of the United States as the official date for cessation of hostilities or six years from the time this Act is effective, whichever is sooner.

Sec. 8. FALSE STATEMENT—PENALTY. Whoever knowingly makes a false statement, oral or written, relating to a material fact in supporting a claim under the provisions of this Act, shall be punished by a fine of not more than one thousand dollars or be imprisoned for not more than one year, or punished by both such fine and imprisonment, and shall forfeit all benefits he or she might have been entitled to under this Act.

Sec. 9. TAX EXEMPTION. All payment and allowances made under this Act shall be exempt from taxation and from levy and sale on execution and all bonds issued under this Act shall be exempt from taxation.

2. Amend the title, page 1, by striking from line 2 all after the comma, and by striking lines 3 through 8, and inserting in lieu thereof the following:

“imposing a tax for a period of six months to provide moneys for the fund, providing for the payment from the fund of service compensation to qualified veterans, and providing penalties.”

(House File 1300 and the Trowbridge amendment pending at adjournment.)

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has adopted the conference committee report and the amendments contained therein and passed Senate File 428, a bill for an act providing for a unified trial court.

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

House File 1279, a bill for an act relating to the exercise of a purchase-option by the executive council.

CARROLL A. LANE, Secretary

SENATE AMENDMENT TO HOUSE FILE 1279

- 1 Amend House File 1279, page 2, by striking lines 1 through
- 2 12, inclusive, and inserting in lieu thereof the following:
- 3 "Section 1. There is appropriated from the general fund
- 4 of the State of Iowa to the executive council the sum of
- 5 three hundred sixty thousand dollars (\$360,000), or so much
- 6 thereof as may be necessary, to be used by the executive
- 7 council to pay the balance due to complete the purchase on
- 8 the purchase-option lease and addendum with Trailer Owners
- 9 Service Corporation, currently known as the Capitol Industries,
- 10 Incorporated, for the building known as the GMC building,
- 11 and all, or such portions of the adjacent parking lot at
- 12 East Seventh and Walnut streets in the city of Des Moines,
- 13 as the executive council may determine upon, including
- 14 expenses incident to fees, abstracting costs, and appraisal
- 15 fees."

HOUSE CONCURRENT RESOLUTION 137

By Committee on Agriculture

Whereas, an overwhelming proportion of the public has a direct interest in the quality of milk and milk products, and

Whereas, Iowa produces four (4) billion pounds of milk annually, making it a major Iowa industry, and

Whereas, Iowa exports sixty-five percent of its milk production, and

Whereas, exportation of Iowa milk and milk products falls within the purview of the Federal Food and Drug Administration for standards of labeling and sanitation as well as quality, and

Whereas, said federal regulatory standards are in the process of being revised both as to form and enforcement, *Now, Therefore*,

Be It Resolved by the House of Representatives, the Senate Concurring, That the legislative council is authorized to create a study committee as provided by law, to conduct during the 1972-1973 legislative interim, a comprehensive study of Iowa milk and milk product standards especially, but not limited to, how they may be affected by federal laws and regulations which bear upon the production, inspection, transportation of Iowa milk and milk products in interstate commerce.

Be It Further Resolved, That said committee shall prepare and submit a report of the results of its study to the legislative council and to members of the Sixty-fifth General Assembly First Session, the same to be accompanied by legislative bill drafts designed to carry out the recommendations of said committee.

Laid over under Rule 25.

GOVERNOR'S VETO MESSAGE

(House File 48)

OFFICE OF THE GOVERNOR

March 16, 1972

The Honorable William H. Harbor
Speaker of the House
Sixty-fourth General Assembly
State Capitol
Local

Honorable Members of the House:

I am returning herewith House File 48, the bill relating to the movement of oversized mobile homes and vehicles, disapproved and without my signature to the House in accordance with Article III, Section 16 of the Constitution of the State of Iowa.

I have carefully analyzed the arguments in favor of allowing overwidth mobile homes and weighed the advantages of allowing oversized mobile homes and vehicles to travel on our Iowa highways for any distance and the disadvantages that are created if such oversized units are allowed more freedom of movement than they now have.

I have concluded that while there could be some benefits derived by some companies who produce these mobile homes and also there would be additional opportunities for some persons to invest in this type of housing, the disadvantages to the majority of our people would outweigh the advantages.

Primarily this bill would change Iowa law to provide an exception for overwidth traffic movement for mobile homes 14'5" in width. The bill also affects vehicles between 19' and 40' in width.

I feel it is my duty to carefully consider the way in which our highways are used and the importance of the safety, convenience and comfort of the general public that uses our highway system. I must be concerned about the safety and convenience of the people in our state.

This measure would permit travel of unlimited distance for mobile homes that are 14'5" wide on highways that are 24' wide and to reach a point of destination the highway can be much narrower—most of them would be 18 feet wide. It is apparent that even under optimum conditions there is some hazard associated with this type of traffic and most certainly an inconvenience for other motorists using our highways.

It is worth noting, that this bill also would provide for a drastic change in the movement of oversize loads with widths greater than 19'. The new schedule of overwidth movements of loads 19' to 40' in width provides that all of these loads may be moved a distance of 10 miles. The present law provides that these loads may be moved much lesser distances as set forth in Chapter 321E.3 of the Iowa Code.

It is generally considered by highway engineers that the minimum width of a single lane for an 8' wide vehicle should be 12'. In other words, a

person driving a vehicle 8' wide on a 12' lane has a safety factor of one-half of that vehicle's width in its own driving lane. Our Highway Commission is attempting to widen our primary highways to a minimum of 24 feet in width to accomplish this goal.

Obviously, then, a 14'5" oversized unit in a 12' or 9' lane cannot conveniently travel our highways without obstruction to other users.

I recognize that our law now allows units of this width to legally move up to a distance of 50 miles and that that distance is insufficient in some instances for the delivery of a wide mobile home. I would have, therefore, looked more favorably upon a bill that would have provided a means by which one of these units could have been delivered to a purchaser in our state who desired to make it his home. But as this bill exists, there would be no limitation of distance for these units to be transported across our state.

While this bill would have undoubtedly led to an increase in the sale of these mobile homes, it would have, at the same time, led to a substantial increase in the number of these units which would congest our highways.

A further inconvenience; this bill provides that roads could be totally closed for the movement of these oversize units.

I am aware that an argument exists for allowing increased traffic of these oversized units for the sake of providing additional jobs to build them. As strongly as I have encouraged economic development in Iowa, there are other factors that must be considered. Safety and convenience of our people are obvious considerations. But, in addition, increased production of big mobile homes could adversely affect jobs of Iowans in the more conventional home building industries.

This bill also would make Iowa a bridge state as these oversized units are moved into Iowa after being manufactured in another state and sold in a third. None of this activity would be of particular economic benefit to Iowa.

I am sure that some have proceeded under the assumption that this bill would allow modular home movement also. I seriously question that modular home movement would be allowed under this bill which throughout refers to mobile homes. In its best light, it is doubtful that the definition of mobile homes in the Iowa Code includes modular housing.

Sincerely,

ROBERT D. RAY
Governor

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 15, 1972, he approved and transmitted to the Secretary of State the following bills:

House File 30, an act relating to the inspection of pipeline construction over private property.

House File 367, an act relating to joint planning commissions.

House File 680, an act to clarify the status of law-enforcement officers appointed by the state conservation commission.

House File 1074, an act to legalize and validate proceedings of the board of directors of the United Community School District in the counties of

Boone and Story, State of Iowa, authorizing and providing for the sale and issuance of school building bonds and for the levy of taxes for the payment of said bonds and declaring the bonds issued pursuant to said proceedings to be enforceable obligations of said school district.

House File 1099, an act providing for an appraisal staff and appraisal manual in the Department of Revenue, and to make an appropriation therefor.

House File 1120, an act relating to notification of property owners of adjustment of real property assessments.

House File 1213, an act making an appropriation to the office of secretary of state to defray expenses relating to the administration of election laws.

House File 1257, an act relating to urban renewal projects and bonds.

AMENDMENTS FILED

- 1 Amend the Senate amendment to House File 1047, by
- 2 striking all of lines 2 and 3 and inserting in lieu
- 3 thereof the following:
- 4 "striking from lines 16, 17, and 18 the following:
- 5 '*except that loans on mobile homes shall be amortized*
- 6 *to mature in not to exceed fifteen years*'.
- 7 Further amend page 2, by striking from line 19 the
- 8 words 'a discount or' and inserting in lieu thereof
- 9 the word 'an'."

UBAN of Black Hawk

- 1 Amend the Fisher amendment to House File 1196,
- 2 filed March 14, 1972 by striking from lines 5 and 6
- 3 the word "Sixty-third" and inserting in lieu thereof
- 4 the word "Sixty-fourth".

FISHER of Greene

- 1 Amend the Senate amendment to House File 1265 by
- 2 inserting after line 2 the following:
- 3 1. Page 2, line 26, by inserting after the word
- 4 "session." the following: "The board of supervisors
- 5 shall designate a polling place in any township or
- 6 part of a township with a population of eight hundred
- 7 or more in the event that two or more townships have
- 8 been combined into a single election precinct."
- 9 2. Further amend the Senate amendment by renum-
- 10 bering the subsequent amendments.

TAYLOR of Dubuque
TIEDEN of Clayton

- 1 Amend the Senate amendment to House File 1265 by
- 2 inserting after line 2 the following:
- 3 1. Page 2, line 26, by inserting after the word
- 4 "Session." the following: "The board of supervisors
- 5 shall designate a polling place in any township or
- 6 part of a township with a population of six hundred
- 7 or more in the event that two or more townships have
- 8 been combined into a single election precinct."

9 2. Further amend the Senate amendment by renum-
10 bering the subsequent amendments.

TAYLOR of Dubuque
TIEDEN of Clayton

1 Amend Senate File 1169, as passed by the Senate,
2 page 2, by inserting after line 6 the following new
3 section:
4 Sec. 2. Section four hundred twenty-two point nine
5 (422.9), Code 1971, is amended by adding the following
6 new subsection:
7 The deductions otherwise allowable under this
8 section are subject to one of the following limitations,
9 at the taxpayer's option:
10 a. A maximum amount equal to twenty-five percent
11 of the taxpayer's net income for all deductions
12 otherwise allowable other than the medical expense
13 deduction and nonreimbursable casualty loss, plus the
14 total medical expense deduction and non-reimbursable
15 casualty losses otherwise allowable.
16 b. A maximum amount equal to fifty percent of the
17 taxpayer's net income for all deductions otherwise
18 allowable.

SMALL of Johnson
GLUBA of Scott

On motion by Varley of Adair, the House adjourned until 9:00
a.m., Friday, March 17, 1972.

JOURNAL OF THE HOUSE

Sixty-eighth Calendar Day—Fiftieth Session Day

HALL OF THE HOUSE OF REPRESENTATIVES
DES MOINES, IOWA, FRIDAY, MARCH 17, 1972

The House met pursuant to adjournment, Speaker pro tempore Millen in the chair.

Prayer was offered by the Reverend M. J. Ansorge, pastor of the Immanuel Lutheran Church, Spirit Lake, Iowa.

The Journal of Thursday, March 16, 1972, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Don Otilie, Oelwein, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Mollett of Pottawattamie on request of Stanley of Linn.

PRESENTATION OF VISITORS

Bergman of Osceola presented to the House the Honorable Roy J. Smith, former member of the House during the Fifty-third, Fifty-fourth, Fifty-fifth, Fifty-sixth and Fifty-ninth General Assemblies, representing Dickinson County.

Thirty-five junior high students from Guthrie Center Junior High, Guthrie Center, Iowa, accompanied by Rich Hanson. By Fisher of Greene.

Twenty ninth grade students from Southeast Polk Community School, Runnells, Iowa, accompanied by Allen Moe and Anita Taylor. By Skinner of Polk.

Seven members of the Postville High School basketball team accompanied by Mr. Chevalier. By Tieden of Clayton.

Sixty-six Cadette Scouts from Troops 425 and 232, Decorah, Iowa, accompanied by Mrs. Louis Eggers, Mrs. Dennis Jones and Robert Overland. By Mendenhall of Allamakee.

Eighty-one senior students from Dubuque High School, Dubuque, Iowa, accompanied by Verne Klinge, Rich Tyler and Jim Petersen. By Blouin of Dubuque.

PETITION FILED

The following petition was received and placed on file:

By Blouin of Dubuque from thirty-four senior citizens of Nativity Church, Dubuque, Iowa, favoring House File 1155, relating to a property tax relief grant for the elderly.

SENATE MESSAGE CONSIDERED

Senate File 1190, a bill for an act relating to the regulation of county homes.

Read first time and referred to the sifting committee.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has concurred in the House amendment to the Senate amendment and passed the following bill in which the concurrence of the Senate was asked:

House File 6, a bill for an act establishing a state building code.

Also: That the Senate has refused to concur in the House amendment to the Senate amendment to the following bill:

House File 69, a bill for an act relating to errors and omissions insurance for county officers.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File 1101, a bill for an act legalizing proceedings for the establishment, organization and changes in the boundaries of merged area school systems.

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

House File 1127, a bill for an act relating to the possession and consumption of alcoholic liquors on school grounds.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File 1203, a bill for an act relating to erroneous and obsolete references in the Code of Iowa.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File 1219, a bill for an act relating to the destruction of undesirable fish.

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

House File 1258, a bill for an act relating to motor vehicle inspection.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File 1259, a bill for an act relating to the use of motor vehicle "registration applied for" cards.

Also: That the Senate has concurred in the House amendment to and passed the following bill in which the concurrence of the Senate was asked:

Senate File 202, a bill for an act relating to the changing of names by individuals.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File 1149, a bill for an act relating to salaries of certain county officers.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File 1191, a bill for an act relating to business corporations.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File 1206, a bill for an act relating to the method of paying state employees.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File 1208, a bill for an act to prohibit discrimination by licensing associations.

CARROLL A. LANE, Secretary

SENATE AMENDMENT TO HOUSE FILE 1127

- 1 Amend House File 1127, as amended and passed by the House,
- 2 as follows:
- 3 1. Page 1, line 18, by adding after the word "school" the
- 4 words "*or that portion thereof*,".
- 5 2. Page 1, by adding after line 22 the following new section:
- 6 "Sec. Section two hundred seventy-nine point nine
- 7 (279.9), Code 1971, as amended by chapter one hundred forty-
- 8 nine (149), section ten (10), Acts of the Sixty-fourth General
- 9 Assembly, First Session, is further amended to read as follows:
- 10 279.9 USE OF TOBACCO. Such rules shall prohibit the use
- 11 of tobacco *and the use or possession of alcoholic liquor or*
- 12 *beer* or any controlled substance as defined in Senate File 1,
- 13 section 101, subsection 6, Acts of the Sixty-fourth General
- 14 Assembly, First Session, by any student of such schools and
- 15 the board may suspend or expel any student for any violation
- 16 of such rule."

SENATE AMENDMENT TO HOUSE FILE 1258

- 1 Amend House File 1258 as follows:
 2 1. Page 2, by inserting the following after line 28:
 3 *"The owner or person having custody of the vehicle*
 4 *to which a certificate of rejection has been affixed may*
 5 *appeal the rejection to the department of public safety.*
 6 *The appeal shall be in writing and shall be filed with*
 7 *the department of public safety within ten days of the*
 8 *rejection. The department of public safety shall hold*
 9 *a hearing on the appeal within ten days of receipt of*
 10 *the appeal and shall issue a decision affirming the*
 11 *rejection or disallowing the rejection, in whole or in*
 12 *part, within seven days of the hearing."*
 13 2. Page 1, line 6, by amending the title by inserting
 14 before the word "and" the following: "to provide for
 15 administrative appeal."

REPORT OF THE THIRD CONFERENCE COMMITTEE
ON SENATE FILE 85

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to consider the difference between the Senate and the House of Representatives on Senate File 85, a bill for an act creating a department of environmental quality, specifying its powers, duties, and functions, and providing penalties for violations thereof, respectfully submit the following recommendations:

1. That the House of Representatives recede from its amendment.
2. That Senate File 85, as amended and passed by the Senate, be amended as follows:
 - a. Page 2A, line 16, by inserting after the period the following new sentence:

"The salary of the executive director shall be initially established by the governor, but it shall not exceed twenty-five thousand dollars per annum and, thereafter, it shall be determined by the general assembly."
 - b. Page 2A, by striking line 33 and inserting in lieu thereof the following:

"with public agencies of this state to provide all lab-"
 - c. Page 2B, line 36, by inserting after the period the following new sentence:

"If the executive director finds that public agencies of this state cannot provide the laboratory, scientific field measurement and environmental evaluation services required by the department, he may contract, with the approval of the executive committee, with any other public or private persons or agencies for such services."
 - d. Page 3A, line 6, by striking the word "legal,".
 - e. Page 3A, by striking lines 24 through 35, inclusive, page 3B, by striking lines 36 through 48, inclusive, and page

4, by striking lines 1 through 30, inclusive, and inserting in lieu thereof the following:

"1. The air quality commission shall consist of the president of the Iowa medical society or his designee and the following four members appointed by the governor with the consent of two-thirds of the senate:

- a. A member actively engaged in diversified farming.
- b. A member actively engaged in the management of a privately-owned manufacturing company.
- c. Two members who are electors of the state.

2. The water quality commission shall consist of the chairman of the Iowa development commission or his designee and the following four members appointed by the governor with the consent of two-thirds of the senate:

- a. A member actively engaged in diversified farming.
- b. A member actively engaged in the management of a privately-owned manufacturing company.
- c. Two members who are electors of the state.

3. The solid waste disposal commission shall consist of the president of the Iowa engineering society or his designee and the following four members appointed by the governor with the consent of two-thirds of the senate:

- a. A member actively engaged in diversified farming.
- b. A member actively engaged in the management of a privately-owned manufacturing company.
- c. Two members who are electors of the state.

4. The chemical technology commission shall consist of the secretary of agriculture, the commissioner of public health, the director of the Iowa natural resources council, the chairman of the state soil conservation committee, the chief executive of the league of Iowa municipalities, the state conservation director, and the dean, college of agriculture of Iowa state university of science and technology, or their designees, a representative of a firm in Iowa actively engaged in the manufacture or formulation of agricultural chemicals, and a farmer experienced in the application of agricultural chemicals to be appointed by the governor with the consent of two-thirds of the senate. The members appointed by the governor shall serve four-year terms, except that of the membership of the initial commission, the members appointed by the governor shall be the appointed members of the chemical technology review board abolished by this Act, whose terms expired on the thirtieth of June, 1974. The terms of these two members shall expire on the thirtieth of June, 1974.

Any commission member appointed by the governor may be removed by him for cause. The members of each commission shall be electors of the state. The term of office of each appointed member shall be four years, except that of the initial membership of the air quality commission, the water quality commission, and the solid waste disposal commission, the two members appointed to represent the general public

shall be appointed to two-year terms. The term of office of each member shall commence on the first day of July of the year of the appointment except that the term of office of the initial membership of the air quality commission, the water quality commission, and the solid waste disposal commission shall be computed as if such appointments were made effective July 1, 1972. Vacancies occurring during a term of office shall be filled by appointment for the balance of the unexpired term subject to the consent of two-thirds of the senate. No appointive member shall be appointed to serve more than two consecutive four-year terms."

f. Page 5, line 19, by inserting after the period the following new sentence:

"Each commission may request the assistance or advice of any public or private person in carrying out its assigned duties under this Act."

g. Page 5, by striking lines 27 and 28, and inserting in lieu thereof the following:

"sion, the administrative officer of the department of soil conservation, the director of the bacteriological laboratory at the state university of Iowa, the secretary of agriculture, the commissioner of public health, and the state geologist, or their".

h. Page 6A, line 5, by striking the word "forty" and inserting in lieu thereof "thirty".

i. Page 6A, by striking line 20.

j. Page 8, line 4, by striking the letter "a."

k. Page 8, by striking lines 19 and 20, and inserting in lieu thereof the following:

"and of such characteristics and duration as is or may reasonably tend to be injurious to human, plant, or animal life, or to property, or which".

l. Page 10, line 17, by inserting after the word "instituted" the words "by the attorney general".

m. Page 10, by striking lines 22 through 26, inclusive, and inserting in lieu thereof the following:

"rule and regulation, the owner or operator of any air contaminant source to establish and maintain such records, make such reports, install, use and maintain such monitoring equipment or methods, sample such emissions in accordance with such methods at such locations and intervals, and using such procedures as the commission shall prescribe, and provide such other information as the commission may reasonably require. Such classifications may be for application to".

n. Page 12, by striking lines 7 through 20, inclusive, and inserting in lieu thereof the following:

"While conducting an investigation, the executive director may enter at any reasonable time in and upon any private or public property, except private dwellings, to investigate any actual or possible violation of the provisions of this Act or the rules, regulations, or standards adopted under this Act.

a. If the executive director is denied admittance to property subject to inspection under this Act, he may apply to the district court of the county in which the property is located for issuance of a search warrant. In the application, the executive director shall state that he believes that a search of the property designated in the application is necessary for the proper administration and enforcement of the provisions of this Act or the rules, regulations, or standards adopted under this Act. If the court is satisfied that a search warrant is justified he shall grant the application and issue the warrant.

b. If the executive director establishes, under oath, probable cause that a violation of the provisions of this Act or the rules, regulations, or standards adopted under this Act has occurred, and that the evidence required to prove such violation is of a nature that it may be easily or quickly dissipated, camouflaged, or disposed of, he may apply for and the court may issue a search warrant without evidence that admission to the property was denied and prior to any attempt by the executive director to gain admittance."

o. Page 14, line 11, by inserting after the word "communications" the words ", except emission data,".

p. Page 15, by striking from line 11 the word and number "eighteen (18)" and inserting in lieu thereof the word and number "seventeen (17)".

q. Page 20, line 9, by striking the word and number "July, 1971" and inserting in lieu thereof the word and number "January, 1973".

r. Page 20, line 35, by inserting before the word "commission" the words "air quality".

s. Page 23A, line 15, by inserting after the word "detergents" the words "which contain phosphorus".

t. Page 23A, by striking lines 17 through 20, inclusive, and inserting in lieu thereof the following:

"accurate information concerning the percent of phosphorus in the formula and the weight in grams of phosphorus per recommended use level."

u. Page 28, line 19, by striking the word "unlawful" and inserting in lieu thereof the word "lawful".

v. Page 30A, by inserting after line 10 the following new section:

Sec. 50. In all proceedings with respect to any alleged violation of the provisions of sections thirty-one (31) through forty-nine (49) of this Act or any rule or regulation established by the commission or the department, the burden of proof shall be upon the commission or the department except in an action for contempt as provided in section forty-five (45) of this Act.

w. Page 31B, line 41, by striking the number "1971" and inserting in lieu thereof the number "1972".

x. Page 44A, by inserting after line 25 the following sections:

Sec. 86. As used in sections eighty-six (86) through ninety-five (95) of this Act, unless the context otherwise requires:

1. "Radiation" means any ionizing radiation including, but not limited to, high-speed electrons, neutrons, protons and other nuclear particles, but not sound waves.

2. "Radioactive material" means any solid, liquid, or gaseous material which emits radiation spontaneously.

3. "Nuclear waste disposal site" means all facilities and appurtenances including all real and personal property connected with such facilities, which are acquired, leased, purchased, constructed, reconstructed, equipped, improved, extended, maintained, or operated to facilitate the final disposition of radioactive waste without creating a significant hazard to the public health or safety, and which are approved by the executive director.

4. "Commission" means solid waste disposal commission of the department.

Sec. 87. The department shall be the agency of the state to establish policy for the transportation, storage, handling, and disposal of radioactive material for the purpose of protecting the public health and safety.

Sec. 88. The commission shall provide, by rule and regulation, for the proper methods of transporting, storage, and handling of radioactive material except that the provisions of this section shall not apply to the transportation, handling, or storage of radioactive material by licensed physicians and surgeons or licensed osteopathic physicians and surgeons within the scope of their practice or by qualified employees of licensed hospitals within the scope of their duties. In adopting such rules and regulations, the commission shall consider the methods and techniques used by the United States atomic energy commission and radiation control agencies of other states for the regulation of the transporting, handling, and storage of radioactive material. The commission shall also consult with the department of public safety in the development of rules and regulations for the transporting of radioactive material on the public roads of this state. All rules and regulations adopted by the commission under this section shall be subject to the provisions of chapter seventeen A (17A) of the Code and section seven (7), subsection four (4) of this Act.

Sec. 89. The commission may approve or prohibit the establishment and operation of a nuclear waste disposal site in this state by a private person. In determining whether to grant or deny a license to establish and operate a nuclear waste disposal site, the commission shall consider the need for a nuclear waste disposal site and the existing physical conditions, topography, soils and geology, climate, transportation, and land use at the proposed site. If the commission decides to issue a license to establish and operate a nuclear waste disposal site, it shall establish, by rule and regulation, standards and procedures for the safe operation and maintenance of the proposed site. The commission shall

also require the licensee to provide a sufficient surety bond or other financial commitment to insure the perpetual maintenance and monitoring of the nuclear waste disposal site.

All rules and regulations adopted by the commission under this section shall be subject to the provisions of chapter seventeen A (17A) of the Code and section seven (7), subsection four (4) of this Act.

Sec. 90. The executive director:

1. Shall enforce any rules and regulations adopted under the provisions of sections eighty-six (86) through ninety-five (95) of this Act, and furnish a copy of such rules and regulations to each applicant for any license required under sections eighty-six (86) through ninety-five (95) of this Act.

2. May license any person transporting, handling, or storing any radioactive material under rules and regulations adopted by the commission.

3. May require the maintenance of records relating to the receipt, storage, transfer, or disposal of radioactive material.

4. May inspect any nuclear waste disposal site or other facilities relating to the transportation, storage and handling of radioactive materials. The executive director may enter at any reasonable time upon any private or public property for the purpose of determining whether or not a radiation hazard exists, or whether there is compliance with, or violation of, any provisions of sections eighty-six (86) through ninety-five (95) of this Act, or any rules or regulations adopted under sections eighty-six (86) through ninety-five (95) of this Act.

5. May issue, modify, or revoke orders in accordance with the provisions of sections eighty-six (86) through ninety-five (95) of this Act or the rules and regulations adopted under sections eighty-six (86) through ninety-five (95) of this Act.

6. May require the submission of plans and specifications for the design, construction, maintenance, and monitoring of nuclear waste disposal sites for review and appraisal.

Sec. 91. If the executive director determines that there are reasonable grounds to believe a violation of sections eighty-six (86) through ninety-five (95) of this Act or of the rules and regulations issued under sections eighty-six (86) through ninety-five (95) of this Act has occurred, he shall give written notice by certified mail to the alleged violator specifying the alleged violations involved and specifying a period of time in which to eliminate the violation. If the alleged violator fails to comply within such specified time, the executive director shall schedule a hearing and give written notice to the alleged violator by certified mail. In connection with the hearings, the executive director may issue subpoenas requiring the attendance of witnesses and the production of records pertinent to such hearing. On the basis of the findings, the executive director

shall issue a final order which shall be forwarded to the alleged violator by certified mail.

Sec. 92. Whenever the executive director finds that an emergency exists requiring immediate action to protect the public health and safety, he may, without notice or hearing, issue an emergency order reciting that an emergency exists and requiring that such action be taken as he deems necessary to meet the emergency. The order may be issued orally to the person whose operation constitutes the emergency by the executive director and confirmed by a copy of such order to be sent by certified mail within twenty-four hours after the issuance of the oral order. The emergency order shall be effective immediately. Any person receiving an emergency order may request a hearing before the commission within thirty days following the receipt of the order. The commission shall schedule a hearing within fourteen days after receipt of the request for a hearing and give written notice to the alleged violator by certified mail. The commission may also schedule a hearing in the absence of a request by the alleged violator. On the basis of the findings, the commission shall issue a final order which shall be forwarded to the alleged violator by certified mail.

The executive director may, if an emergency exists, impound or order the impounding of any radioactive material in the possession of any person who is not equipped to observe, or fails to observe, the provisions of sections eighty-six (86) through ninety-five (95) of this Act or any rules or regulations adopted under sections eighty-six (86) through ninety-five (95) of this Act.

Sec. 93. An appeal may be taken from any final order of the commission to the district court of the county in which the alleged violation was committed or such final order was entered. Notice of appeal from a final order shall be served upon the executive director by certified mail. Failure to serve the notice of appeal within thirty days after receipt of the final order shall operate as a waiver of the right to appeal. A final order by the commission shall not be stayed by an appeal except by order of the district court after hearing for good cause shown by the alleged violator. The hearing on appeal shall be tried as a suit in equity. The court may receive additional testimony and evidence and may affirm, modify, or reverse the final order of the commission.

Sec. 94. Whenever, in the judgment of the executive director, any person has engaged in or is about to engage in any acts or practices which constitute or will constitute a violation of the provisions of sections eighty-six (86) through ninety-five (95) of this Act, or any rule, regulation, or order promulgated under sections eighty-six (86) through ninety-five (95) of this Act, he may request the attorney general to make application in the name of the state to the district court of the county in which such acts or practices may be performed, for an order enjoining such acts or practices notwithstanding the existence or pursuit of any other remedy,

and the attorney general shall make such application.

Sec. 95. Any person who violates any provisions of sections eighty-six (86) through ninety-five (95) of this Act or rules or regulations adopted under sections eighty-six (86) through ninety-five (95) of this Act, or any order of the commission or executive director issued pursuant to sections eighty-six (86) through ninety-five (95) of this Act, shall be punished by a fine of not more than five hundred dollars or by imprisonment not to exceed six months or punished by both such fine and imprisonment and, in addition, he may be enjoined from continuing such violation. Each day of continued violation after notice that a violation is being committed shall constitute a separate violation.

y. Page 45, by striking lines 15 through 18, inclusive.

z. Page 45, line 21, by striking the word and number "eighty-seven (87)" and inserting in lieu thereof the word and number "eighty-eight (88)".

aa. Page 46, by striking lines 16 through 35, inclusive, all of pages 47 through 61, inclusive, and on page 62, lines 1 through 15, inclusive, and inserting in lieu thereof the following new sections:

Sec. 102. The commission shall collect, analyze, and interpret information relating to agricultural chemicals and their use. The commission shall coordinate the regulation and information responsibilities of state agencies on matters relating to the sale and use of agricultural chemicals. It shall adopt rules relating to the sale, use and misuse of agricultural chemicals and may, by rule, restrict or prohibit the sale, distribution, or use of any agricultural chemical. In determining whether to restrict or prohibit the sale, distribution, or use of any agricultural chemical, the board shall consider any official reports, academic studies, expert opinions or testimony, or other matter deemed to have probative value. Any such evidence shall be received at a public hearing held for such purpose.

The commission shall consider the toxicity, hazard, effectiveness and public need for the agricultural chemicals, and the availability of less toxic or less hazardous agricultural chemicals and substances or other means of control.

Sec. 103. The commission shall, by rule and regulation, after a public hearing following due notice:

1. Declare as a pest any form of plant or animal life or virus which is unduly injurious to plants, man, domestic animals, articles, or substances.
2. Specify the conditions under which containers of pesticides may be transported, stored, or disposed.
3. Determine the proper use of pesticides, including their formulations, and the times and methods of application and other conditions of use.
4. Require that all veterinarians licensed and practicing veterinary medicine in the state promptly report any case of domestic livestock poisoning or suspected poisoning to

the executive director and the veterinary medical diagnostic laboratory at Iowa state university of science and technology.

Sec. 104. The rules and regulations promulgated by the commission shall be subject to the provisions of chapter seventeen A (17A) of the Code and section seven (7), subsection four (4) of this Act.

Sec. 105. The attorney general shall institute, at the request of the executive director, legal action to condemn any agricultural chemical sold, offered for sale, used, transported, or stored in this state in violation of sections one hundred one (101) through one hundred four (104) of this Act or any rules and regulations adopted by the commission under sections one hundred one (101) through one hundred four (104) of this Act.

Sec. 106. Any person violating the provisions of sections one hundred one (101) through one hundred four (104) of this Act or the rules or regulations adopted by the commission under sections one hundred one (101) through one hundred four (104) of this Act is guilty of a misdemeanor.

Sec. 107. The powers, duties, and functions vested in the chemical technology commission under the provisions of sections one hundred one (101) through one hundred six (106) of this Act shall not be construed to affect the powers, duties, and functions vested in the department under any other provisions of this Act or the Code.

Sec. 108. Any rule or regulation adopted or order issued under chapter two hundred six A (206A) of the Code, prior to the effective date of this Act, by the chemical technology review board shall remain effective until modified or rescinded by action of the chemical technology commission unless such rule or regulation is inconsistent or contrary to sections one hundred one (101) through one hundred seven (107) of this Act."

bb. Page 63, by striking lines 14 through 35, inclusive and page 64, lines 1 and 2, and inserting in lieu thereof the following:

Sec. 111. Section four hundred sixty-seven A point four (467A.4), subsection one (1), Code 1971, as amended by chapter two hundred twenty-seven (227), section twenty-seven (27), Acts of the Sixty-fourth General Assembly, First Session, and as amended by House File eleven hundred seventy-six (1176), section one (1), Acts of the Sixty-fourth General Assembly, Second Session, is amended to read as follows:

1. There is hereby established, to serve as an agency of the state and to perform the functions conferred upon it in this chapter, the department of soil conservation. The department shall be administered in accordance with the policies of the state soil conservation committee, which shall consist of a chairman and ten members. The following shall serve as ex officio nonvoting members of the committee: The director of the state agricultural extension service or his designee, the secretary of agriculture, or his designee, the director of the state conservation commission or his designee,

and the director of the Iowa natural resources council or his designee. Seven voting members shall be appointed by the governor and confirmed by the senate. Six of the appointive members shall be persons engaged in actual farming operations, one of whom shall be a resident of each of the six conservancy districts established by section three (3) of this Act, and no more than one of whom shall be a resident of any one county. The seventh appointive member shall be chosen by the governor from the state at large and shall be a representative of cities and towns. The committee may invite the secretary of agriculture of the United States to appoint one person to serve with the above mentioned members, and the president of the Iowa county engineers association may designate a member of the association to serve in the same manner, but these persons shall have no vote and shall serve in an advisory capacity only. *The director of the department of environmental quality shall be an ex officio nonvoting member.* The committee shall adopt a seal, which seal shall be judicially noticed, and may perform such acts, hold such public hearings, and promulgate such rules and regulations as may be necessary for the execution of its functions under this chapter.

cc. Page 64, line 5, by inserting before the word "and" the following:

"section two hundred six point three (206.3), subsection two (2), paragraph d, section two hundred six point six (206.6), subsection one (1),".

dd. Page 64, line 7, by striking the words "two hundred six (206)".

ee. Page 64, by striking lines 11, 12, and 13 and inserting in lieu thereof the following:

Sec. 113. The effective date of this Act shall be the first of January, 1973, except that the governor may, prior to the first of January, 1973, by executive order, appoint the necessary commission".

ff. Page 64, by striking from lines 15 and 16, the words "authorize the executive committee to appoint the executive director,".

gg. Page 64, lines 20 and 21, by striking the word and number "July, 1971" and inserting in lieu thereof the word and number "January, 1973".

hh. Page 64, line 23, by striking the word and number "July, 1971" and inserting in lieu thereof the word and number "January, 1973".

ii. Page 64, line 31, by striking the word and number "July, 1971" and inserting in lieu thereof the word and number "January, 1973".

jj. By renumbering sections and subsections and internal references to sections and subsections to conform to this amendment.

On the part of the Senate:

RALPH W. POTTER, Chairman
LUCAS J. DeKOSTER
REINHOLD O. CARLSON
G. WILLIAM GROSS

On the part of the House:

RICHARD F. DRAKE, Chairman
NORMAN ROORDA
THEODORE R. ELLSWORTH
VERNON N. BENNETT

FURTHER CONSIDERATION OF SENATE AMENDMENT
(House File 1265)

The House resumed consideration of **House File 1265**, a bill for an act relating to the 1972 primary election.

Taylor of Dubuque moved that the House reconsider the vote by which the House concurred in the Senate amendment to House File 1265 on March 16, 1972.

A non-record roll call was requested.

The ayes were 25, nays 43.

The motion lost.

Drake of Muscatine moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its repassage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1265)

The ayes were, 73:

Alt	Freeman	Miller	Stanley
Andersen	Gluba	Moffitt	Stokes
Bennett	Grassley	Nielsen	Strand
Bergman	Hamilton	Norpel	Stromer
Camp	Hansen	Nystrom	Strothman
Campbell	Hill	Patton	Taylor
Christensen	Holden	Pellett	Tieden
Clark	Jesse	Pierson	Trowbridge
Curtis	Kehe	Radl	Uban
Den Herder	Knoblauch	Rex	Varley
Doyle	Knoke	Roorda	Welden
Drake	Kreamer	Sargisson	Wells
Dunton	Kruse	Swieger	Willits
Edelen	Lipsky	Scott	Winkelman
Egenes	Logemann	Shaw	Wirtz
Ellsworth	Mayberry	Siglin	Wyckoff
Fischer, H. O.	McCormick	Skinner	Mr. Speaker
Fisher, C. R.	McElroy	Sorg	(Millen)
Franklin	Mendenhall		

The nays were, 14:

Anania	Ewell	Middleswart	Rodgers
Blouin	Husak	Monroe	Schmeiser
Bray	Kinley	Priebe	Small
Dougherty	Larson		

Absent or not voting, 13:

Cochran	Kelly	Menefee	Schroeder
Goode	Kennedy	Mollett	Schwartz
Harbor	Lawson	Pelton	Waugh
Johnston			

The bill having received a constitutional majority was declared to have repassed the House and the title was agreed to.

AMENDMENTS WITHDRAWN
(Senate File 1169)

By unanimous consent the following amendments were withdrawn:

The Curtis-Den Herder-Roorda amendment filed on March 6, 1972, and found on page 958 of the House Journal.

The Small-Gluba amendment filed on March 16, 1972, and found on page 1250 of the House Journal.

SENATE AMENDMENT CONSIDERED

Freeman of Buena Vista called up for consideration **House File 1047**, a bill for an act relating to the lending and investing powers of savings and loan associations, amended by the Senate as follows:

Amend House File 1047 as passed by the House, page 2, by striking lines 1 through 21, inclusive, and renumber the subsequent sections accordingly.

Uban of Black Hawk offered the following amendment to the Senate amendment and moved its adoption:

Amend the Senate amendment to House File 1047, by striking all of lines 2 and 3 and inserting in lieu thereof the following:

*"striking from lines 16, 17, and 18 the following:
' , except that loans on mobile homes shall be amortized to mature in not to exceed fifteen years'.*

Further amend page 2, by striking from line 19 the words 'a discount or' and inserting in lieu thereof the word 'an'."

A non-record roll call was requested.

The ayes were 30, nays 48.

The amendment to the amendment lost.

Freeman of Buena Vista moved that the House concur in the Senate amendment.

A non-record roll call was requested.

The ayes were 84, nays 4.

The motion prevailed and the House concurred in the Senate amendment.

Freeman of Buena Vista moved that the bill, as amended by the Senate and concurred in by the House, be read a last time

now and placed upon its repassage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1047)

The ayes were, 81:

Alt	Freeman	Miller	Shaw
Anania	Grassley	Moffitt	Siglin
Andersen	Hamilton	Monroe	Skinner
Bennett	Hansen	Nielsen	Sorg
Bergman	Hill	Norpei	Stanley
Blouin	Husak	Nystrom	Stokes
Campbell	Kehe	Patton	Strand
Christensen	Kelly	Pellet	Strothman
Clark	Kinley	Pelton	Taylor
Curtis	Knoblauch	Pierson	Tieden
Den Herder	Knoke	Priebe	Trowbridge
Dougherty	Kruse	Rex	Varley
Doyle	Larson	Rodgers	Waugh
Drake	Lipsky	Roorda	Welden
Dunton	Logemann	Sargisson	Wells
Edelen	Mayberry	Schmeiser	Willits
Egenes	McCormick	Schroeder	Winkelman
Ewell	McElroy	Schwartz	Wyckoff
Fischer, H. O.	Mendenhall	Schwieger	Mr. Speaker
Fisher, C. R.	Menefee	Scott	(Millen)
Franklin	Middleswart		

The nays were, 6:

Bray	Kennedy	Small	Uban
Jesse	Radl		

Absent or not voting, 13:

Camp	Goode	Johnston	Mollett
Cochran	Harbor	Kreamer	Stromer
Ellsworth	Holden	Lawson	Wirtz
Gluba			

The bill having received a constitutional majority was declared to have repassed the House and the title was agreed to.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 132

Fischer of Grundy called up for consideration **House Concurrent Resolution 132**, filed on March 14, 1972, and found on pages 1113 and 1114 of the House Journal, and moved its adoption:

A non-record roll call was requested.

The ayes were 69, nays 12.

The resolution was adopted.

RECONSIDERATION OF AMENDMENTS 9 AND 10
OF SENATE AMENDMENT TO HOUSE FILE 1156
(Senate Amendments 9 and 10 Pending)

Winkelman of Calhoun called up for consideration the Kennedy of Chickasaw motion filed on March 15, 1972, to reconsider amendments 9 and 10 of the Senate amendment to **House File 1156**, a bill for an act creating an Iowa world exposition authority and specifying its purposes, powers and responsibilities, in which the House refused to concur on March 14, 1972.

A non-record roll call was requested.

The ayes were 45, nays 42.

The motion prevailed.

(Amendments 9 and 10 of Senate amendment pending)

The House was recessed until 1:00 p.m.

AFTERNOON SESSION

The House reconvened, Speaker pro tempore Millen in the chair.

ADOPTION OF THE REPORT OF THE
CONFERENCE COMMITTEE
(Senate File 428)

Pelton of Clinton called up for consideration the conference committee report on **Senate File 428**, a bill for an act to provide a unified trial court having district court judges and district court magistrates; to discontinue superior, justice of the peace, and police courts; and to establish traffic violations offices within the district court to receive uniform traffic violation penalties, filed on March 15, 1972, and found on pages 1146 through 1219 of the House Journal.

Small of Johnson moved that action on the conference committee report be deferred.

Roll call was requested by Kreamer of Polk and Grassley of Butler.

On the question "Shall action on the conference committee report be deferred?"

The ayes were, 33:

Anania	Fisher, C. R.	Middleswart	Schwartz
Bennett	Franklin	Monroe	Skinner
Bergman	Gluba	Nielsen	Small
Blouin	Husak	Norpel	Strothman
Camp	Jesse	Patton	Tieden
Dougherty	Kennedy	Rodgers	Wells
Doyle	Kinley	Sargisson	Willits
Dunton	Larson	Schmeiser	Wyckoff
Fischer, H. O.			

The nays were, 59:

Alt	Hill	Miller	Sorg
Andersen	Holden	Moffitt	Stanley
Bray	Kehe	Nystrom	Stokes
Campbell	Kelly	Pellett	Strand
Christensen	Knoblauch	Pelton	Stromer
Clark	Knoke	Pierson	Taylor
Curtis	Kreamer	Priebe	Trowbridge
Drake	Kruse	Radl	Uban
Edelen	Lawson	Rex	Varley
Egenes	Lipsky	Roorda	Waugh
Ellsworth	Logemann	Schroeder	Welden
Freeman	Mayberry	Schwieger	Winkelman
Grassley	McElroy	Scott	Wirtz
Hamilton	Mendenhall	Shaw	Mr. Speaker
Hansen	Menefee	Siglin	(Millen)

Absent or not voting, 8:

Cochran	Ewell	Harbor	McCormick
Den Herder	Goode	Johnston	Mollett

The motion lost.

Pelton of Clinton moved the adoption of the conference committee report and the amendments contained therein.

Roll call was requested by Hill of Polk and Pelton of Clinton.

On the question "Shall the conference committee report be adopted?"

The ayes were, 66:

Alt	Hamilton	Menefee	Siglin
Andersen	Hansen	Middleswart	Sorg
Bergman	Hill	Miller	Stanley
Blouin	Holden	Moffitt	Strand
Campbell	Jesse	Nystrom	Stromer
Christensen	Kehe	Patton	Taylor
Clark	Kennedy	Pellett	Trowbridge
Curtis	Kinley	Pelton	Uban
Drake	Knoblauch	Pierson	Varley
Dunton	Knoke	Priebe	Waugh
Edelen	Kreamer	Radl	Welden
Egenes	Lawson	Roorda	Willits
Ellsworth	Lipsky	Schroeder	Winkelman
Ewell	Logemann	Schwartz	Wirtz
Franklin	Mayberry	Schwieger	Mr. Speaker
Freeman	McCormick	Scott	(Millen)
Grassley	Mendenhall	Shaw	

The nays were, 27:

Anania	Fisher, C. R.	Monroe	Skinner
Bennett	Gluba	Nielsen	Stokes
Bray	Husak	Norpel	Strothman
Camp	Kelly	Rex	Tieden
Dougherty	Kruse	Rodgers	Wells
Doyle	Larson	Sargisson	Wyckoff
Fischer, H. O.	McElroy	Schmeiser	

Absent or not voting, 7:

Cochran	Goode	Johnston	Small
Den Herder	Harbor	Mollett	

Motion prevailed and the report was adopted.

Pelton of Clinton moved that the bill be read a last time now and placed upon its repassage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 428)

The ayes were, 76:

Alt	Hansen	Mendenhall	Scott
Andersen	Hill	Menefee	Shaw
Bergman	Holden	Middleswart	Siglin
Blouin	Husak	Miller	Sorg
Bray	Jesse	Moffitt	Stanley
Camp	Kehe	Monroe	Strand
Campbell	Kennedy	Norpel	Stromer
Christensen	Kinley	Nystrom	Taylor
Clark	Knoblauch	Patton	Trowbridge
Curtis	Knoke	Pellett	Uban
Drake	Kreamer	Pelton	Varley
Dunton	Kruse	Pierson	Waugh
Edelen	Larson	Priebe	Welden
Egenes	Lawson	Radl	Wells
Ellsworth	Lipsky	Roorda	Willits
Ewell	Logemann	Schmeiser	Winkelman
Franklin	Mayberry	Schroeder	Wirtz
Freeman	McCormick	Schwartz	Mr. Speaker
Grassley	McElroy	Schwieger	(Millen)
Hamilton			

The nays were, 16:

Anania	Fischer, H. O.	Rex	Stokes
Bennett	Fisher, C. R.	Rodgers	Strothman
Dougherty	Kelly	Sargisson	Tieden
Doyle	Nielsen	Skinner	Wyckoff

Absent or not voting, 8:

Cochran	Gluba	Harbor	Mollett
Den Herder	Goode	Johnston	Small

The bill having received a constitutional majority was declared to have repassed the House and the title was agreed to.

MOTION TO RECONSIDER
(Senate File 428)

I move to reconsider the vote by which Senate File 428 passed the House on March 17, 1972.

NORPEL of Jackson

HOUSE CONCURRENT RESOLUTION 138
By Small and Grassley

Whereas, the General Assembly of the state of Iowa is completing its fourth annual session; and

Whereas, a comprehensive study of the rules and procedures of the General Assembly has not been undertaken since the year 1968 and the report submitted in the year 1968 did not reflect the experience of Iowa General Assembly operating on an annual basis; and

Whereas, the experience of four years with annual sessions will now provide a base upon which the members of the General Assembly can critically analyze areas of strength and weaknesses regarding the rules and procedures of the General Assembly; and

Whereas, during the present session of the General Assembly procedural problems have resulted in some instances which indicate that a comprehensive analysis of rules, proceedings, and staffing may be beneficial, *Now Therefore*,

Be It Resolved by the House of Representatives, the Senate Concurring, That the legislative council is authorized to create a study committee consisting of members of the legislative council, members of the Rules Committees of the two houses of the General Assembly, and other members of the General Assembly designated by the legislative council, representing both political parties, for the purpose of making a comprehensive study of the rules in effect for the General Assembly, procedures, and staffing for the General Assembly; and

Be It Further Resolved, That special consideration be made during the study in regard to providing a method similar to that used in the United States Congress whereby a Rules Committee establishes a special rule for each bill and for each committee and definite standards are established regarding the manner in which proponents and opponents participate in considering legislation; and

Be It Further Resolved, That the study committee shall make a report to the legislative council prior to the convening of the General Assembly in the year 1973 and to the General Assembly meeting in the year 1973 which report shall contain recommendations concerning rule changes, legislative procedures, and legislative staffing and any bill drafts or proposed rules changes designed to carry out such recommendations.

Laid over under Rule 25.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File 556, a bill for an act related to the Uniform Anatomical Gift Act.

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

House File 711, a bill for an act relating to the registration and safety regulations for snowmobiles.

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

House File 1272, a bill for an act relating to bonded warehouses.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File 1297, a bill for an act relating to the continuation of study of the state mental health institutions.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File 1049, a bill for an act permitting the sale of mobile homes.

Also: That the Senate has concurred in the House amendment to, and passed the following bill in which the concurrence of the Senate was asked:

Senate File 1096, a bill for an act relating to tax assessment procedures.

CARROLL A. LANE, Secretary

SENATE AMENDMENT TO HOUSE FILE 556

- 1 Amend House File 556, page 1, by striking all after the
- 2 period in line 16 and all of lines 17 through 19, inclusive,
- 3 and by inserting in lieu thereof the following:
- 4 *"However, any person or entity that renders such service*
- 5 *warrants only under this section that due care has been*
- 6 *exercised and that acceptable professional standards of*
- 7 *care in providing such service according to the current*
- 8 *state of the medical arts have been followed. Strict liability,*
- 9 *in tort, shall not be applicable to the rendition of such*
- 10 *service."*

SENATE AMENDMENT TO HOUSE FILE 711

- 1 Amend House File 711 as amended and passed by the House as
- 2 follows:
- 3 1. Page 4, by adding after line 7 the following new subsection
- 4 and renumbering the subsequent subsection accordingly.
- 5 ".... Railroad right-of-way shall mean the full width of
- 6 property owned, leased or subject to easement for railroad
- 7 purposes and shall not be limited to those areas on which
- 8 tracks are located."
- 9 2. Page 7, line 2, by inserting after the number and comma
- 10 "1972," the words "except when operated or used in an
- 11 authorized special event,".
- 12 3. Page 7, by striking lines 25 through 27, inclusive, and
- 13 on page 8, by striking lines 1 through 4, inclusive.
- 14 4. Page 8, line 5, by striking the number "7" and inserting

15 in lieu thereof the number "6".

16 5. Page 8, line 12, by striking the number "8" and inserting
17 in lieu thereof the number "7".

18 6. Page 8, by adding after line 13 the following new sub-
19 section:

20 "..... Upon an operating railroad right-of-way. A snowmobile
21 may be driven directly across a railroad right-of-way only at an
22 established crossing and, notwithstanding any other provisions
23 of law, may, where necessary, use the improved portion of such
24 established crossing after yielding to all oncoming traffic. The
25 provisions of this subsection shall not apply to any law enforce-
26 ment officer or railroad employee in the lawful discharge of his
27 duties."

28 7. Page 12, by striking line 25 and inserting in lieu thereof
29 the following: "7. The state, its political subdivisions,
30 and the owners of property adjoining the right-of-way of a
31 public highway and their agents and employees owe no".

32 8. Page 13, line 8, by striking the words "or any" and
33 inserting in lieu thereof a comma.

34 9. Page 13, line 9, by striking the word "of" and insert-
35 ing after the word "subdivisions" the following: ", or the
36 owners of property adjoining the right-of-way of a public
37 highway and their agents and employees".

38 10. Page 13, line 13, by striking the word "or" and insert-
39 ing in lieu thereof a comma and inserting before the word
40 "shall" the words "and the owners of property adjoining the
41 right-of-way of a public highway and their agents and employees".

42 11. Page 1, line 1, amend the title by inserting after the
43 word "relating" the words ", to liability arising out of the
44 use of snowmobiles,".

SENATE AMENDMENT TO HOUSE FILE 1272

1 Amend House File 1272 as passed by the House as follows:

- 2 1. Page 2, by striking lines 7 through 13, inclusive.
- 3 2. Page 6, by striking lines 26 through 35, inclusive;
- 4 page 7, by striking lines 1 through 35, inclusive; and
- 5 page 8, by striking lines 1 through 6, inclusive.
- 6 3. Renumber the subsequent sections accordingly.

SENATE MESSAGES CONSIDERED

Senate File 1049, a bill for an act permitting the sale of mobile homes.

Read first time and referred to the **sifting committee**.

Senate File 1149, a bill for an act relating to salaries of certain county officers.

Read first time and referred to the **sifting committee**.

Senate File 1206, a bill for an act relating to the method of paying state employees.

Read first time and referred to the sifting committee.

Senate File 1208, a bill for an act to prohibit discrimination by licensing associations.

Read first time and referred to the sifting committee.

AMENDMENTS FILED

1 Amend Senate amendment to House File 1156 as follows:

2 1. By striking lines 24 through 31 and inserting
3 in lieu thereof the following:

4 Page 6, by inserting after line 4, the
5 following new section:

6 "Sec. Notwithstanding the provisions of
7 section four hundred twenty-seven point one (427.1)
8 of the Code, all real and personal property of the
9 authority, and all buildings, structures and im-
10 provements placed thereon, shall be valued,
11 assessed, placed upon the tax rolls and be taxed
12 as provided by law from and after January 1, 1978."

13 2. By renumbering the remaining sections.

EWELL of Black Hawk
KINLEY of Polk

1 Amend House File 1196 as follows:

2 1. By striking everything after the enacting
3 clause and inserting in lieu thereof the following:

4 Section 1. Pursuant to section two (2) of chapter
5 two hundred ninety-three (293), Acts of the Sixty-
6 fourth General Assembly, First Session, the general
7 assembly hereby determines that Terrace Hill shall be
8 a state historical site. The executive council shall
9 make plans for the use of Terrace Hill as a state
10 historical site and in making such plans shall con-
11 sider making Terrace Hill available to the public
12 subject to reasonable restrictions in order to pre-
13 serve the beauty, decor, and antiquity of Terrace
14 Hill.

15 2. The executive council may accept gifts
16 and federal funds and use such gifts and federal
17 funds for the purpose of converting or planning for
18 the conversion of Terrace Hill subject to such condi-
19 tions as may be contained in the grant of the gifts.
20 The executive council may accept gifts of personal
21 property for placement in Terrace Hill.

22 Sec. 3. The executive council shall use such
23 funds as may be available under the provisions of
24 section nineteen point twenty-nine (19.29) of the
25 Code, pursuant to the authorization contained in
26 chapter two hundred ninety-three (293), Acts of the
27 Sixty-fourth General Assembly, First Session, to
28 carry out the provisions of this Act.

29 Sec. 4. The executive council shall make a report

30 to the general assembly meeting in the year 1973
 31 regarding plans for the remodeling and conversion of
 32 Terrace Hill as a state historical site. The execu-
 33 tive council shall consider recommendations of the
 34 Terrace Hill advisory committee which shall consist
 35 of nine members. Four members of the committee shall
 36 be members of the general assembly, two to be
 37 appointed by the speaker of the house from the
 38 membership of the house and two to be appointed by
 39 the lieutenant governor from the membership of the
 40 senate. Five members of the committee shall be
 41 appointed by the executive council from the resident
 42 electors of the state. The speaker of the house shall
 43 designate one of his appointees as temporary chair-
 44 man and the first meeting of the committee shall be
 45 at the call of the temporary chairman. The Terrace
 46 Hill advisory committee shall also make recommenda-
 47 tions on the possibility of future construction of a
 48 governor's mansion on the grounds locally known as
 49 Terrace Hill and described as "Lot One (1) of Polk
 50 and Hubbell Park, an addition to the City of Des
 51 Moines, Iowa".
 52 2. Page 1, amend the title by striking from lines
 53 2 and 3 the words ", and making an appropriation".

RODGERS of Dallas
 MENDENHALL of Allamakee
 REX of Hamilton
 DOYLE of Woodbury
 PIERSON of Mahaska
 CHRISTENSEN of Union
 GRASSLEY of Butler
 KEHE of Bremer
 MIDDLESWART of Warren
 DOUGHERTY of Monroe
 KNOBLAUCH of Carroll

1 Amend House File 1290 as follows:
 2 1. Page 2, line 14, by inserting after the word
 3 "council" the following: "*with the approval of*
 4 *the capitol planning commission,*".
 5 2. Page 4, by striking lines 9 through 19 and
 6 inserting in lieu thereof the following new sections:
 7 "Sec. Section eighteen A point one (18A.1),
 8 Code 1971, as amended by chapter eighty-four (84),
 9 section seventy (70), Acts of the Sixty-fourth
 10 General Assembly, First Session, is amended by strik-
 11 ing the section and inserting in lieu thereof the
 12 following:
 13 18A.1 COMMISSION CREATED. There is hereby
 14 created the capitol planning commission composed of
 15 thirteen members appointed as follows:
 16 (1) Four members of the general assembly, two to
 17 be appointed by the speaker of the house from the
 18 membership of the house of representatives, and two

19 to be appointed by the lieutenant governor from the
20 membership of the senate.

21 (2) Three residents of the state of Iowa appoint-
22 ed by the governor.

23 (3) The director of the department of general
24 services or his designee.

25 (4) The curator of the Iowa state department of
26 history and archives.

27 (5) The department head of landscape architecture
28 at Iowa state university of science and technology.

29 (6) The president of the board of architectural
30 examiners.

31 (7) The president of the board of curators of the
32 state historical society.

33 (8) The chairman of the Iowa state arts council.
34 The members of the commission appointed by the

35 governor shall be qualified by experience or educa-
36 tion to aid the commission to carry out its duties.

37 Sec. Section eighteen A point two (18A.2),
38 Code 1971, is amended to read as follows:

39 18A.2 TERMS. The terms of office of the nonof-
40 ficial appointees shall be four years and until their
41 successors are appointed. Vacancies therein shall be
42 filled by the governor, such vacancy appointees to
43 serve for the unexpired term of the original appoin-
44 tee. The terms of office of the members of the
45 general assembly herein shall be for four years un-
46 less sooner terminated by ceasing to be members of
47 the general assembly in which event the vacancies
48 thus created shall be filled by the speaker of the
49 house or the lieutenant governor as the case may be,
50 the members so appointed to serve for the unexpired
51 term of their predecessors. [The terms of office of
52 all members of the capitol planning commission in
53 office on July 4, 1965 are continued to May 1, 1967
54 on which date all terms shall terminate. Prior to
55 said date appointments shall be made for succeeding
56 members as follows:

57 From the house of representatives, one for a term
58 of two years and one for a term of four years.

59 From the senate, one for a term of two years and
60 one for a term of four years.

61 For successors to nonofficial appointees one for a
62 term of two years and two for terms of four years.]

63 All terms of [members] *nonofficial appointees* of the
64 commission shall begin on May 1 of each odd-numbered
65 year [beginning with May 1, 1967] *following their*
66 *appointment.*

67 Sec. Section eighteen A point three (18A.3),
68 Code 1971, as amended by chapter eighty-four (84),
69 section seventy-one (71), Acts of the Sixty-fourth
70 General Assembly, First Session, is amended to read
71 as follows:

72 18A.3 DUTIES. It shall be the duty of the com-

73 mission to a [advise upon] *approve* the location of
74 statues, fountains and monuments and the placing of
75 any additional buildings [on the capitol grounds] *at*
76 *the seat of government, to adopt plans* for the type
77 of architecture and the type of construction of any
78 new buildings to be erected [on the state capitol
79 grounds] *at the seat of government* as now encompassed
80 or as subsequently enlarged, and [repairs and restora-
81 tion thereof, and] it shall be the duty of the offi-
82 cers, commissions, and councils charged by law with
83 the duty of determining such questions to call upon
84 the commission for [such advice] *approval of plans*.

85 *No alteration or repair to the state capitol*
86 *building, including any project initiated under*
87 *chapter two (2) of the Code, with a probable cost in*
88 *excess of three thousand dollars shall be made without*
89 *the approval of the capitol planning commission.*

90 *If any alteration or repair of the state capitol*
91 *is approved, it shall conform to the original appear-*
92 *ance and architectural style and before construction*
93 *shall begin, the detailed plans and drawings shall be*
94 *submitted to the capitol planning commission for ap-*
95 *proval. The capitol planning commission may review*
96 *any alteration to the state capitol previously made*
97 *and may order restoration or changes so that the*
98 *original appearance and architectural style is pre-*
99 *served.*

100 The commission shall, in cooperation with the
101 director of the department of general services,
102 develop and implement within the limits of its
103 appropriation; a five-year modernization program
104 for the capitol complex.

105 Sec. Section eighteen A point four (18A.4),
106 Code 1971, is amended to read as follows:

107 18A.4 ORGANIZATION. The commission [shall enter
108 into its duties as soon as this resolution is effec-
109 tive and as soon as the membership has been filled
110 as herein specified;] shall organize by the selection
111 of a chairman and a secretary drawn from the member-
112 ship of the commission, who shall serve at the
113 pleasure of the commission.

114 *A majority of the total membership of the commis-*
115 *sion shall be necessary for any official action.*

116 Sec. Section eighteen A point five (18A.5),
117 Code 1971, is amended by striking the section and
118 inserting in lieu thereof the following:

119 18A.5 EXPENSES. The members of the commission
120 shall receive a per diem of forty dollars for attend-
121 ing a meeting of the commission and shall be paid for
122 the actual and necessary expenses while in attendance
123 at any meeting of the commission and in going to and
124 from the seat of government to attend a meeting of
125 such commission. Legislative members will receive no
126 additional compensation and expenses for attending

127 meetings while the general assembly is in session.
 128 Expenses and per diem for all members shall be paid
 129 from funds appropriated to the commission. Service of
 130 the director of the department of general services or
 131 his designee shall be an additional duty conferred by
 132 statute."

133 3. By renumbering the bill sections to conform
 134 to this amendment.

135 4. Page 1, line 1, by amending the title by
 136 inserting after the word "to" the words "the capitol
 137 planning commission,".

LAWSON of Cerro Gordo
 ALT of Polk
 KEHE of Bremer
 LIPSKY of Linn

1 Amend the Trowbridge amendment to House File 1300,
 2 filed March 16, 1972, by striking from line 223 the
 3 words "for a period of six months".

TROWBRIDGE of Floyd

1 Amend Senate File 1190, as amended and passed by
 2 the Senate and reprinted, page 3A, by adding after
 3 line 30 the following new sections:

4 "Sec. Section two hundred fifty-three point
 5 nine (253.9), Code 1971, is amended by striking the
 6 section and inserting in lieu thereof the following:

7 253.9 COUNTY HOME ADVISORY BOARD. In each
 8 county in which a county home is established and
 9 operated under this chapter, there shall be a county
 10 home advisory board. The board shall be composed of
 11 four members, as follows:

12 1. A member appointed by the board of supervisors
 13 to represent the medical profession in the county.

14 2. A member appointed by the board of supervisors
 15 to represent agencies, groups, or associations in the
 16 county interested either professionally or otherwise
 17 in mental health and the delivery of mental health
 18 services to persons in the county. For the purposes
 19 of this subsection the term 'mental health' shall
 20 include efforts to combat mental retardation.

21 3. The county director of social services, or
 22 his designee.

23 4. A member representing the district office of
 24 the rehabilitation education services branch of the
 25 department of public instruction designated to serve
 26 the county.

27 The members appointed by the board of supervisors
 28 shall receive twenty-five dollars per diem for each
 29 day actually devoted to the duties of their office,
 30 and shall serve for terms of two years beginning
 31 July 1, of the year in which they are appointed, except
 32 that in making the first appointments under this
 33 section the board of supervisors shall designate one
 34 appointee to serve a term of one year.

35 Sec. Section two hundred fifty-three point
 36 eight (253.8), Code 1971, is amended as follows:
 37 253.8 VISITATION AND INSPECTION. The [board
 38 shall cause the] county home [to] *shall* be visited at
 39 least once every six months by [one of its body] *the*
 40 *county home advisory board*, [who] *which* shall carefully
 41 examine the condition of the [inmates] *residents* and the
 42 manner in which they are fed and clothed and otherwise
 43 provided for and treated, ascertain what labor they
 44 are required to perform *and whether recreational and*
 45 *rehabilitative programs suited to their needs are*
 46 *available*, [inspect the books and accounts of the
 47 steward] *determine whether the applicable requirements*
 48 *of chapter 135C of the Code are being met*, and look
 49 into all matters pertaining to the county home and
 50 its [inmates] *residents*, and report to the board of
 51 *supervisors.*"

MAYBERRY of Webster
 LIPSKY of Linn

1 Amend Senate File 1190, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 2, line 10, by inserting after the word
 4 "supervisors" the words ", two members representing
 5 the general public to be appointed by the governor,".
 6 2. Page 2, line 15, by inserting after the word
 7 "supervisors" the words ", the governor's appointee,".
 8 3. Page 2, line 18, by inserting after the word
 9 "steward" the words ", one public member,".
 10 4. Page 2, line 18, by inserting after the words
 11 "one steward" the words ", one public member,".

GLUBA of Scott
 ROORDA of Jasper
 SMALL of Johnson

1 Amend Senate File 1190 as passed, amended, and
 2 reprinted by the Senate as follows:
 3 1. Page 2A, line 10, by striking the word "and"
 4 and inserting in lieu thereof a comma.
 5 2. Page 2A, line 11, by inserting before the
 6 period the words "and two county health officers".
 7 3. Page 2A, line 16, by inserting after the
 8 period the words "The county health officers shall
 9 be appointed by the commissioner of public health
 10 from a list of nominees submitted by the Iowa public
 11 health association."
 12 4. Page 2A, line 20, by inserting after the
 13 period the words "For the initial appointment of
 14 county health officers, one shall be appointed for
 15 two years and one shall be appointed for three years."

LIPSKY of Linn
 BLOUIN of Dubuque

On motion by Varley of Adair, the House adjourned until
 10:00 a.m., Monday, March 20, 1972.

JOURNAL OF THE HOUSE

Seventy-first Calendar Day—Fifty-first Session Day

HALL OF THE HOUSE OF REPRESENTATIVES
DES MOINES, IOWA, MONDAY, MARCH 20, 1972

The House met pursuant to adjournment, Speaker Harbor in the chair.

Prayer was offered by the Reverend Carsten Smeby, pastor of the First Lutheran Church, Cresco, Iowa.

The Journal of Friday, March 17, 1972, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. R. J. Coble, Lake Park, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Freeman of Buena Vista on request of the Speaker; Mollett of Pottawattamie on request of Stanley of Linn.

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Sixty sixth grade students from Longfellow Elementary School, Des Moines, Iowa, accompanied by Mrs. Short, Kathy Weaver, Keith Bawart, and Marian Gallanbach. By Anania of Polk.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File 1143, a bill for an act relating to installment loans by state banks.

CARROLL A. LANE, Secretary

COMMUNICATIONS FROM THE CHIEF CLERK

There is on file in the office of the Chief Clerk the following communication:

March 17, 1972

Honorable William H. Harbor
Speaker
House of Representatives
State Capitol
Des Moines, Iowa

Dear Sir:

In compliance with Chapter 206A.4 of the Code of Iowa, we are enclosing a copy of the Second Annual Report to Governor Robert Ray and the Sixty-fourth General Assembly by the Chemical Technology Review Board, which report shall contain information relating to the use of agricultural chemicals and the protection of the health and well-being of people and the protection of fish, domestic animals, wildlife, plants, soil, air and water.

The recommendations for legislative and administrative action are included in this report.

Respectfully submitted,

ROBERT H. LOUNSBERRY, for the
Chemical Technology Review Board

There is also on file in the office of the Chief Clerk the following communication:

STATE BOARD OF TAX REVIEW

March 20, 1972

To the Members of the Sixty-fourth General Assembly of Iowa, Second Regular Session:

Pursuant to Section 421.1(6), Code of Iowa, 1971, we submit herewith the report of the State Board of Tax Review to the General Assembly:

The Board ratifies and confirms and by this reference incorporates herewith its last previous report under date of March 1, 1971 in all respects consistent with the following additions:

1. The Iowa Income Tax Law should be updated to conform with the most recent amendments to the Internal Revenue Code.
2. In view of the fact that the Federal standard deduction has been enlarged substantially the Iowa standard deduction should also be enlarged or taxpayers allowed to itemize deductions for Iowa tax purposes whether deductions are itemized for Federal purposes or not.
3. It has come to the attention of the Board that an income tax inequity exists for Iowa corporations doing business and taxed in a foreign country in that no deduction is permitted for the foreign taxes paid. The Code provides for a deduction of 50% of Federal Income Taxes paid or accrued. Where an income tax is paid to a foreign country and such tax is allowed as a credit against Federal Income Tax the result is a reduction of the Federal tax and the Federal tax deduction for Iowa Income Tax purposes without a corresponding benefit for the foreign tax paid.

Respectfully submitted,
EDWIN A. HICKLIN
LARO L. PIERCE
LOUIS NUSSBAUM

EXPLANATION OF VOTE

(Senate File 428)

Senate File 428 makes sweeping changes in the trial court system in the State of Iowa. The bill is a product of the efforts of a conference committee which met to consider the fundamental differences between the Senate and House versions of the Unified Trial Court Act.

It was brought out during the debate on the bill that there were serious flaws in the conference committee report. Many members of the House, including myself, had not time to adequately study this comprehensive and wide-sweeping approach to the restructuring of our trial court system. The 161-page conference report was not made available to members of the House until late in the afternoon of March 15. We did not have adequate time to study what is quite possibly one of the most significant pieces of legislation to pass this General Assembly in many years. I did not feel that I could, in good conscience, vote on such an important matter under such conditions.

There was no reason why this legislation could not have been deferred over the weekend to allow House members the opportunity to give the bill the consideration such important legislation should demand.

I would observe that I do support court reform. In this session, I did support the House Judiciary Committee's recommendations for establishing a unified trial court system, recommendations which had received the approval of the numerous statewide organizations concerned with the issues of court reform.

SMALL of Johnson

ADOPTION OF SENATE CONCURRENT RESOLUTION 113

Knoke of Pottawattamie called up for consideration **Senate Concurrent Resolution 113** filed on March 7, 1972, and found on page 964 of the House Journal, and moved its adoption.

Motion prevailed and the resolution was adopted.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 128

Schroeder of Pottawattamie called up for consideration **House Concurrent Resolution 128** filed on March 10, 1972, and found on pages 1062 and 1063 of the House Journal, and moved its adoption.

Motion prevailed and the resolution was unanimously adopted.

HOUSE INSISTS

(House File 69)

Schroeder of Pottawattamie called up for consideration **House File 69**, a bill for an act relating to errors and omissions insurance for county officers and employees, and moved that the House insist on its amendment to House File 69.

A non-record roll call was requested.

The ayes were 69, nays 12.

The motion prevailed and the House insists on its amendment to House File 69.

CONFERENCE COMMITTEE APPOINTED
(House File 69)

The Speaker announced the appointment of the conference committee to consider the differences between the House and Senate concerning House File 69; Schroeder of Pottawattamie, chairman, Hansen of Black Hawk, Fischer of Grundy and Schwartz of Wapello.

Speaker pro tempore Millen in the chair at 11:15 a.m.

UNFINISHED BUSINESS
(Senate File 1101)

The House resumed consideration of **Senate File 1101**, a bill for an act relating to the taxation of real estate transfers and the penalty for failure to comply.

Priebe of Kossuth offered the following amendment filed by him and moved its adoption:

Amend Senate File 1101, as amended and passed by the Senate, page 2, by striking from lines 31 through 34 the following: *"In the case of a gift of realty, or any deed with nominal consideration or without stated consideration, the consideration shall be the current market value of the property transferred."*

The amendment was adopted.

Schwartz of Wapello asked and received unanimous consent to withdraw the amendment filed by him on March 7, 1972, and found on page 983 of the House Journal.

Fisher of Greene moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 1101)

The ayes were, 59:

Alt	Dunton	Kehe	McElroy
Anania	Edelen	Knoblauch	Mendenhall
Andersen	Egenes	Knoke	Menefee
Bennett	Ellsworth	Kreamer	Middleswart
Bergman	Fisher, C. R.	Kruse	Miller
Campbell	Gluba	Lawson	Monroe
Curtis	Grassley	Lipsky	Nystrom
Den Herder	Hamilton	Mayberry	Patton
Drake	Hansen	McCormick	Pellett

Pierson	Schwieger	Strand	Welden
Rex	Shaw	Stromer	Winkelman
Roorda	Siglin	Taylor	Wirtz
Sargisson	Small	Tieden	Wyckoff
Schmeiser	Stanley	Varley	Mr. Speaker
Schwartz	Stokes	Wells	(Millen)

The nays were, 28:

Blouin	Fischer, H. O.	Kennedy	Schroeder
Bray	Franklin	Larson	Scott
Christensen	Hill	Moffitt	Skinner
Clark	Husak	Norpel	Sorg
Cochran	Jesse	Priebe	Strothman
Dougherty	Johnston	Radl	Uban
Doyle	Kelly	Rodgers	Willits

Absent or not voting, 13:

Camp	Harbor	Logemann	Pelton
Ewell	Holden	Mollett	Trowbridge
Freeman	Kinley	Nielsen	Wagh
Goode			

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

SENATE AMENDMENT CONSIDERED

Pierson of Mahaska called up for consideration House File 1001, a bill for an act relating to the safety inspection and regulation of amusement rides, devices and related electrical equipment, providing for the imposition and collection of inspection fees, and providing penalties for violations, amended by the Senate, and moved that the House concur in the following Senate amendment:

Amend House File 1001, as amended and passed by the House, as follows:

1. Page 2, lines 21 and 22, by striking the words " , goods or services".

2. Page 4, by adding after line 17 the following new paragraph:

"There is appropriated from the general fund of the state to the amusement inspection fund the sum of thirty-seven thousand (37,000) dollars or so much thereof as may be necessary, to be used by the bureau of labor to carry out the provisions of this Act. On January 1, 1973, the sum of thirty-seven thousand (37,000) dollars shall revert from the amusement inspection fund to the general fund of the state."

3. Page 6, by inserting after line 23 the following new subsections:

"3. The commissioner may exempt amusement devises from the provisions of this Act that have self-contained wiring installed by the manufacturer, that are operated manually by the use of hands or feet, that operate on less than one hundred twenty volts of electrical power, and that are fixtures within or part of a structure subject to the

building code of this state or any political subdivision of this state.”

“4. The commissioner may exempt playground equipment owned, maintained, and operated by any political subdivision of this state.”

4. Page 7, line 2, by inserting after the period the following sentence:

“The annual permit and inspection fees shall be paid before the commissioner may waive this requirement.”

5. Page 7, by adding after line 2 the following new section:

“Sec. This Act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Lee Town News, a newspaper published in Des Moines, Iowa, and in The Daily Gate City, a newspaper published in Keokuk, Iowa.”

The motion prevailed and the House concurred in the Senate amendment.

Pierson of Mahaska moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its repassage which motion prevailed and the bill was read a last time.

On the question “Shall the bill pass?” (H.F. 1001)

The ayes were, 91:

Alt	Gluba	McElroy	Siglin
Anania	Grassley	Mendenhall	Skinner
Andersen	Hamilton	Menefee	Small
Bennett	Hansen	Middleswart	Sorg
Bergman	Harbor	Miller	Stanley
Blouin	Hill	Moffitt	Stokes
Bray	Holden	Monroe	Strand
Campbell	Husak	Nielsen	Stromer
Christensen	Jesse	Norpel	Strothman
Clark	Johnston	Nystrom	Taylor
Cochran	Kehe	Patton	Tieden
Curtis	Kelly	Pellett	Trowbridge
Den Herder	Kennedy	Pierson	Uban
Dougherty	Kinley	Priebe	Varley
Doyle	Knoblauch	Radl	Waugh
Drake	Knoke	Rodgers	Welden
Dunton	Kreamer	Roorda	Wells
Edelen	Kruse	Sargisson	Willits
Egenes	Larson	Schmeiser	Winkelman
Ellsworth	Lawson	Schroeder	Wirtz
Ewell	Lipsky	Schwartz	Wyckoff
Fischer, H. O.	Mayberry	Schwieger	Mr. Speaker
Fisher, C. R.	McCormick	Scott	(Millen)

The nays were, none.

Absent or not voting, 9:

Camp	Goode	Mollett	Rex
Franklin	Logemann	Pelton	Shaw
Freeman			

The bill having received a constitutional majority was declared to have repassed the House and the title was agreed to.

CONSIDERATION OF BILLS
APPROPRIATIONS CALENDAR

House File 1295, a bill for an act making an appropriation to the capitol planning commission for the purpose of studying the need, financing and planning for the construction of a state office building, was taken up for consideration.

Lawson of Cerro Gordo offered the following amendment filed by Camp, et al.:

Amend House File 1295, as follows:

1. Page 1, by striking everything after the enacting clause and inserting in lieu thereof the following:

"Section 1. There is appropriated from the general fund of the state to the department of general services for the fiscal year beginning July 1, 1972 and ending June 30, 1973, the sum of one hundred thousand (100,000) dollars, or so much thereof as is necessary, for the development of plans for providing additional state office facilities including the method of providing financing for the payment of such office facilities. The plans shall be consistent with the master plan and guide for future expansion and development of the state capitol grounds accepted pursuant to chapter four hundred eighty-one (481), Acts of the Sixty-first General Assembly. The director of the department of general services may employ architects and other technical assistants to carry out the provisions of this Act and may apply and accept, or arrange for the application and the acceptance of, federal funds which may be available for carrying out the purposes of this Act.

Sec. 2. The director of the department of general services shall consult with the executive council, office for planning and programming, the Iowa crime commission, and the legislative council in order to determine the space needs of governmental agencies and determine what governmental agencies and personnel would occupy additional state office facilities which might be made available. The director of the department of general services shall make monthly progress reports to the executive council and the legislative council regarding the development of plans provided for in this Act. The director of the department of general services shall make available to the office of the governor information relating to the development of the plan for additional state office facilities on a timely basis

in order that consideration might be given to such plans in preparing the executive budget to be submitted to the general assembly.

Sec. 3. The director of the department of general services shall submit a complete report of the development of plans for providing additional state office facilities to the general assembly and the governor not later than February 15, 1973. The report shall contain recommendations relating to providing additional state office facilities, suggested methods for financing additional state office facilities, occupancy of such facilities, alternative recommendations, and such other information which will aid the governor and the members of the general assembly to determine the most proper method for providing additional state office facilities."

2. Page 1, amend the title lines 1 and 2 by striking the words "capitol planning commission" and inserting in lieu thereof the words "department of general services".

Pierson of Mahaska offered the following amendment to the amendment, filed by him, and moved its adoption:

Amend the Camp, Varley, et al., amendment to House File 1295, filed March 10, 1972, by inserting after line 55 the following new section.

Sec. "Notwithstanding any of the provisions of sections one hundred ninety-eight point seven (198.7) and two hundred point nine (200.9) of the Code, there is transferred to the department of general services from any money deposited in the commercial feed fund created by section one hundred ninety-eight point seven (198.7), subsection three (3), of the Code, the sum of twenty-five thousand (25,000) dollars, and from the fertilizer fund provided under section two hundred point nine (200.9) of the Code, the sum of twenty-five thousand (25,000) dollars, which sums shall be appropriated for the purposes specified in this section.

Any money transferred and appropriated to the department of general services under this section shall be used for development of plans, the preparation of blueprints, specifications, and other contract documents necessary to properly plan the construction of a building to be located on the state capitol grounds for the administrative offices and laboratory of the department of agriculture and such other state agencies as the department of general services in its plans may determine."

The amendment to the amendment was adopted.

Lawson of Cerro Gordo moved the adoption of the Camp amendment as amended.

The amendment as amended was adopted.

Pierson of Mahaska offered the following amendment from the floor and moved its adoption:

Further amend the title to House File 1295 by striking from line 3 the words "a state office building" and inserting in lieu thereof the words "state office buildings".

The amendment was adopted.

Lawson of Cerro Gordo moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1295)

The ayes were, 87:

Alt	Gluba	Mendenhall	Siglin
Anania	Grassley	Menefee	Skinner
Andersen	Hamilton	Middleswart	Small
Bergman	Hansen	Miller	Sorg
Blouin	Harbor	Moffitt	Stanley
Campbell	Holden	Monroe	Stokes
Christensen	Husak	Nielsen	Strand
Clark	Jesse	Norpel	Stromer
Cochran	Johnston	Nystrom	Strothman
Curtis	Kehe	Patton	Taylor
Den Herder	Kennedy	Pellett	Tieden
Dougherty	Kinley	Pierson	Trowbridge
Doyle	Knoblauch	Priebe	Uban
Drake	Knoke	Radi	Varley
Dunton	Kreamer	Rodgers	Waugh
Edelen	Kruse	Roorda	Wells
Egenes	Larson	Sargisson	Willits
Ellsworth	Lawson	Schmeiser	Winkelman
Ewell	Lipsky	Schroeder	Wirtz
Fischer, H. O.	Logemann	Schwartz	Wyckoff
Fisher, C. R.	Mayberry	Schwieger	Mr. Speaker
Franklin	McElroy	Scott	(Millen)

The nays were, 6:

Bray	Kelly	Shaw	Welden
Hill	McCormick		

Absent or not voting, 7:

Bennett	Freeman	Mollett	Rex
Camp	Goode	Pelton	

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

MOTION TO RECONSIDER
(House File 1295)

I move to reconsider the vote by which House File 1295 passed the House on March 20, 1972.

DEN HERDER of Sioux

House File 1298, a bill for an act to make appropriations to certain persons in the settlement of claims made against the state of Iowa, was taken up for consideration.

Schroeder of Pottawattamie moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

Under the provisions of Rule 71, Skinner of Polk refrained from voting.

On the question "Shall the bill pass?" (H.F. 1298)

The ayes were, 84:

Anania	Hamilton	McElroy	Siglin
Andersen	Hansen	Mendenhall	Small
Bergman	Harbor	Menefee	Sorg
Blouin	Hill	Moffitt	Stanley
Bray	Holden	Monroe	Stokes
Campbell	Husak	Nielsen	Strand
Christensen	Jesse	Norpel	Stromer
Clark	Johnston	Nystrom	Strothman
Cochran	Kehe	Patton	Taylor
Curtis	Kelly	Pellett	Tieden
Den Herder	Kennedy	Pierson	Trowbridge
Dougherty	Kinley	Priebe	Uban
Doyle	Knoblauch	Radl	Varley
Drake	Kreamer	Rodgers	Waugh
Dunton	Kruse	Roorda	Welden
Edelen	Larson	Sargisson	Wells
Ellsworth	Lawson	Schmeiser	Willits
Ewell	Lipsky	Schroeder	Winkelman
Fischer, H. O.	Logemann	Schwartz	Wyckoff
Fisher, C. R.	Mayberry	Scott	Mr. Speaker
Gluba	McCormick	Shaw	(Millen)
Grassley			

The nays were, 2:

Miller	Schwieger
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Absent or not voting, 14:

Alt	Franklin	Middleswart	Rex
Bennett	Freeman	Mollett	Skinner
Camp	Goode	Pelton	Wirtz
Egenes	Knoke		

The bill having received a constitutional two-thirds majority was declared to have passed the House and the title was agreed to.

House File 1299, a bill for an act making an appropriation for the purpose of implementing and administering a state building code, was taken up for consideration.

Welden of Hardin moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1299)

The ayes were, 86:

Alt	Hamilton	Mendenhall	Siglin
Anania	Hansen	Menefee	Skinner
Andersen	Harbor	Miller	Small
Bergman	Hill	Moffitt	Stanley
Blouin	Holden	Monroe	Stokes
Bray	Husak	Nielsen	Strand
Campbell	Jesse	Norpel	Stromer
Clark	Johnston	Nystrom	Taylor
Cochran	Kehe	Patton	Tieden
Curtis	Kennedy	Pellett	Trowbridge
Den Herder	Kinley	Pelton	Uban
Dougherty	Knoblauch	Pierson	Varley
Doyle	Knoke	Priebe	Waugh
Dunton	Kreamer	Rodgers	Welden
Edelen	Kruse	Roorda	Wells
Egenes	Larson	Sargisson	Willits
Ellsworth	Lawson	Schmeiser	Winkelman
Ewell	Lipsky	Schroeder	Wirtz
Fisher, C. R.	Logemann	Schwartz	Wyckoff
Franklin	Mayberry	Schwieger	Mr. Speaker
Gluba	McCormick	Scott	(Millen)
Grassley	McElroy	Shaw	

The nays were, 4:

Christensen	Radl	Sorg	Strothman
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Absent or not voting, 10:

Bennett	Fischer, H. O.	Kelly	Mollett
Camp	Freeman	Middleswart	Rex
Drake	Goode		

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

Senate File 1182, a bill for an act to appropriate funds from the general fund of the state of Iowa to the Iowa crime commission for the purpose of matching federal funds to support certain activities within local government units and creating a legislative advisory committee, with report of committee recommending passage, was taken up for consideration.

(Senate File 1182 pending at recess.)

The House was recessed until 1:30 p.m.

AFTERNOON SESSION

The House reconvened, Speaker pro tempore Millen in the chair.

The House resumed consideration of Senate File 1182.

Lawson of Cerro Gordo moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 1182)

The ayes were, 81:

Alt	Grassley	Miller	Small
Anania	Hamilton	Moffitt	Stanley
Andersen	Hansen	Nielsen	Stokes
Bergman	Harbor	Norpel	Strand
Blouin	Hill	Nystrom	Stromer
Bray	Husak	Patton	Strothman
Campbell	Kehe	Pellett	Taylor
Christensen	Kinley	Pierson	Tieden
Clark	Knoblauch	Priebe	Trowbridge
Cochran	Knoke	Rex	Uban
Curtis	Kreamer	Rodgers	Varley
Den Herder	Kruse	Roorda	Waugh
Dougherty	Larson	Sargisson	Welden
Doyle	Lawson	Schmeiser	Wells
Drake	Lipsky	Schroeder	Willits
Dunton	Logemann	Schwartz	Winkelman
Edelen	Mayberry	Schwieger	Wirtz
Ellsworth	McCormick	Scott	Wyckoff
Ewell	McElroy	Shaw	Mr. Speaker
Franklin	Mendenhall	Siglin	(Millen)
Gluba	Menefee		

The nays were, 6:

Fischer, H. O.	Kennedy	Skinner	Sorg
Johnston	Radl		

Absent or not voting, 13:

Bennett	Freeman	Jesse	Mollett
Camp	Goode	Kelly	Monroe
Egenes	Holden	Middleswart	Pelton
Fisher, C. R.			

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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has adopted the third conference committee report and the amendments contained therein and passed Senate File 85, a bill for an act creating a department of environmental quality.

Also: That the Senate has adopted the conference committee report and

the amendments contained therein and passed Senate File 1091, a bill for an act appropriating to the department of public instruction.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File 1218, a bill for an act relating to occupational safety and health.

CARROLL A. LANE, Secretary

ADOPTION OF THE REPORT OF THE
THIRD CONFERENCE COMMITTEE
(Senate File 85)

Drake of Muscatine called up for consideration the third conference committee report on Senate File 85, a bill for an act creating a department of environmental quality, specifying its powers, duties and functions, and providing penalties for violations thereof, filed on March 17, 1972, and found on pages 1254 through 1263 of the House Journal.

Speaker Harbor in the chair at 2:55 p.m.

Kreamer of Polk in the chair at 4:03 p.m.

Drake of Muscatine moved the adoption of the conference committee report and the amendments contained therein.

Roll call was requested by Drake of Muscatine and Lawson of Cerro Gordo.

Rule 70 was invoked.

On the question "Shall the report be adopted?"

The ayes were, 50:

Alt	Ewell	Kinley	Shaw
Andersen	Franklin	Knoke	Skinner
Bennett	Gluba	Larson	Small
Blouin	Hamilton	Lawson	Sorg
Bray	Hansen	Lipsky	Stanley
Campbell	Harbor	Mayberry	Strand
Christensen	Hill	McCormick	Taylor
Clark	Holden	Millen	Uban
Cochran	Jesse	Nystrom	Varley
Drake	Johnston	Patton	Willits
Dunton	Kehe	Pelton	Mr. Speaker
Egenes	Kelly	Roorda	(Kreamer)
Ellsworth	Kennedy	Schwartz	

The nays were, 46:

Anania	Edelen	Kruse	Miller
Bergman	Fischer, H. O.	Logemann	Moffitt
Curtis	Fisher, C. R.	McElroy	Monroe
Den Herder	Grassley	Mendenhall	Nielsen
Dougherty	Husak	Menefee	Norpel
Doyle	Knoblauch	Middleswart	Pellett

Pierson	Schmeiser	Stromer	Welden
Priebe	Schroeder	Strothman	Wells
Radl	Schwieger	Tieden	Winkelman
Rex	Scott	Trowbridge	Wirtz
Rodgers	Siglin	Waugh	Wyckoff
Sargisson	Stokes		

Absent or not voting, 4:

Camp	Freeman	Goode	Mollett
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The motion prevailed and the report was adopted.

Drake of Muscatine moved that the bill be read a last time now and placed upon its repassage which motion prevailed and the bill was read a last time.

Rule 70 was invoked.

On the question "Shall the bill pass?" (S.F. 85)

The ayes were, 55:

Alt	Gluba	Lawson	Schwartz
Andersen	Hamilton	Lipsky	Schwieger
Bennett	Hansen	Mayberry	Shaw
Blouin	Harbor	McCormick	Small
Bray	Hill	Millen	Sorg
Campbell	Holden	Miller	Stanley
Clark	Jesse	Monroe	Strand
Cochran	Johnston	Nystrom	Stromer
Drake	Kehe	Patton	Uban
Dunton	Kelly	Pelton	Varley
Egenes	Kennedy	Rodgers	Wells
Ellsworth	Kinley	Roorda	Willits
Ewell	Knoke	Schmeiser	Mr. Speaker
Franklin	Larson	Schroeder	(Kreamer)

The nays were, 41:

Anania	Husak	Norpel	Stokes
Bergman	Knoblauch	Pellett	Strothman
Christensen	Kruse	Pierson	Taylor
Curtis	Logemann	Priebe	Tieden
Den Herder	McElroy	Radl	Trowbridge
Dougherty	Mendenhall	Rex	Waugh
Doyle	Menefee	Sargisson	Welden
Edelen	Middleswart	Scott	Winkelman
Fischer, H. O.	Moffitt	Siglin	Wirtz
Fisher, C. R.	Nielsen	Skinner	Wyckoff
Grassley			

Absent or not voting, 4:

Camp	Freeman	Goode	Mollett
------	---------	-------	---------

The bill having received a constitutional majority was declared to have repassed the House and the title was agreed to.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the

President of the Senate has appointed as members of the conference committee on House File 69, a bill for an act relating to errors and omissions insurance, on the part of the Senate: the Senator from Marshall, Mr. Mowry, chairman; the Senator from Adams, Mr. Briles; the Senator from Sioux, Mr. DeKoster; and the Senator from Polk, Mr. Gaudineer.

CARROLL A. LANE
Secretary of the Senate

SENATE AMENDMENT CONSIDERED

Schroeder of Pottawattamie called up for consideration **House File 1258**, a bill for an act to amend chapter 183, Acts of the Sixty-fourth General Assembly, relating to motor vehicle inspection to extend the time within which a vehicle failing inspection must be repaired, to require inspection upon the transfer of a motor vehicle, to lengthen the period within which a motor vehicle must be inspected prior to transfer, and to permit the regrooving of specially designed tires, amended by the Senate, and moved that the House concur in the following Senate amendment:

Amend House File 1258 as follows:

1. Page 2, by inserting the following after line 28:

"The owner or person having custody of the vehicle to which a certificate of rejection has been affixed may appeal the rejection to the department of public safety. The appeal shall be in writing and shall be filed with the department of public safety within ten days of the rejection. The department of public safety shall hold a hearing on the appeal within ten days of receipt of the appeal and shall issue a decision affirming the rejection or disallowing the rejection, in whole or in part, within seven days of the hearing."

2. Page 1, line 6, by amending the title by inserting before the word "and" the following: "to provide for administrative appeal,".

The motion prevailed and the House concurred in the Senate amendment.

Schroeder of Pottawattamie moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its repassage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1258)

The ayes were, 88:

Alt	Bray	Curtis	Egenes
Andersen	Campbell	Den Herder	Ewell
Bennett	Christensen	Doyle	Fischer, H. O.
Bergman	Clark	Drake	Fisher, C. R.
Blouin	Cochran	Dunton	Franklin

Gluba	Lawson	Pelton	Strand
Grassley	Lipsky	Pierson	Stromer
Hamilton	Logemann	Priebe	Strothman
Hansen	Mayberry	Radl	Taylor
Harbor	McCormick	Rodgers	Tieden
Hill	McElroy	Roorda	Trowbridge
Holden	Mendenhall	Sargisson	Uban
Husak	Menefee	Schmeiser	Varley
Jesse	Middleswart	Schroeder	Waugh
Johnston	Millen	Schwartz	Welden
Kehe	Miller	Schwieger	Wells
Kelly	Moffitt	Scott	Willits
Kennedy	Nielsen	Shaw	Winkelman
Kinley	Norpel	Siglin	Wirtz
Knoblauch	Nystrom	Small	Wyckoff
Knoke	Patton	Stanley	Mr. Speaker
Kruse	Pellet	Stokes	(Kreamer)
Larson			

The nays were, 2:

Dougherty Rex

Absent or not voting, 10:

Anania	Ellsworth	Mollett	Skinner
Camp	Freeman	Monroe	Sorg
Edelen	Goode		

The bill having received a constitutional majority was declared to have repassed the House and the title as amended by the Senate was agreed to.

FURTHER CONSIDERATION OF SENATE AMENDMENT (House File 1156)

The House resumed consideration of Senate amendments 9 and 10 of the Senate amendment to House File 1156, a bill for an act creating an Iowa world exposition authority and specifying its purposes, powers and responsibilities.

Kinley of Polk moved that the following Ewell-Kinley amendment be substituted for the Hill-Skinner-Kennedy amendment filed on March 16, 1972, and found on pages 1219 and 1220 of the House Journal:

Amend Senate amendment to House File 1156 as follows:

1. By striking lines 24 through 31 and inserting in lieu thereof the following:

9. Page 6, by inserting after line 4, the following new section:

"Sec. Notwithstanding the provisions of section four hundred twenty-seven point one (427.1) of the Code, all real and personal property of the authority, and all buildings, structures and improvements placed thereon, shall be valued, assessed, placed upon the tax rolls and be taxed

as provided by law from and after January 1, 1978.”

2. By renumbering the remaining sections.

A non-record roll call was requested.

The ayes were 41, nays 33.

The motion prevailed.

Ewell of Black Hawk moved the adoption of the Ewell-Kinley amendment.

A non-record roll call was requested.

The ayes were 47, nays 38.

The amendment was adopted.

HOUSE CONCURRENT RESOLUTION 139

By Freeman

Whereas, the Alta High School basketball team has won the Iowa Class A High School basketball championship; and

Whereas, the Alta High School basketball team has completed a perfect season with twenty-six consecutive victories; and

Whereas, the Alta High School basketball team has displayed the utmost in spirit and teamwork, *Now, Therefore*,

Be It Resolved by the House of Representatives, the Senate Concurring, That the Sixty-fourth General Assembly, Second Regular Session, extend its heartiest congratulations to the Alta Cyclones, their coaches, cheerleaders, teachers and school administrators and to their families and loyal friends who encouraged and supported the Cyclones through the regular season and during the tournament; and

Be It Further Resolved, That the members of the Sixty-Fourth General Assembly, Second Regular Session, commend the Cyclones for their splendid example of sportsmanship, fair play and athletic prowess which took them to the highest place in Iowa high school basketball, winning the Class A championship and becoming Iowa's number one team in Class A; and

Be It Further Resolved, That a copy of this concurrent resolution be sent to Coach Allen Koster and the Alta High School basketball team.

Laid over under Rule 25.

HOUSE CONCURRENT RESOLUTION 140

By Lipsky

Whereas, the manner in which Cedar Rapids Kennedy High School has demonstrated great character, determination, and unity of purpose, and

Whereas, this young school has become a symbol of achievement by great team effort and discipline, *Now, Therefore*,

Be It Resolved by the House of Representatives, the Senate Concurring, That the Cedar Rapids Kennedy High School Cougars, their coaches, teachers, school administrators and families and loyal friends be commended

for winning the Class AA state basketball championship and for the development of an outstanding basketball team.

Laid over under Rule 25.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Miller of Marshall, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate Files 431, 1148 and 1213.

ELIZABETH R. MILLER
Chairman, House Committee
JOHN C. RHODES
Chairman, Senate Committee

Report adopted.

BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House the following bills: Senate Files 431, 1148 and 1213.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 17, 1972, the following bills were approved and transmitted to the Secretary of State:

House File 217, a act relating to the Board of Parole.

House File 219, an act relating to the use of carbon tetrachloride fire extinguishers in migratory labor camps.

House File 544, an act relating to the Soldiers Relief Commission.

House File 1042, an act relating to time served on parole.

House File 1071, an act to legalize the indebtedness of the Audubon County Agricultural Society and to authorize an annual tax to pay said indebtedness.

House File 1117, an act relating the annual report of the Commissioner of Insurance.

House File 1176, an act relating to the Department of Soil Conservation.

House File 1253, an act relating to the use of ambulance services at University Hospital.

Senate File 260, an act relating to weather modification in counties.

Senate File 274, an act relating to age discrimination in employment.

Senate File 334, an act relating to the vending of foods and beverages and providing a penalty.

Senate File 593, an act to make an appropriation to the Executive Council for the acquisition of land and buildings, and the remodeling construc-

tion and equipping of a medical school in counties having a population of over two hundred thousand.

Senate File 1026, an act relating to actions arising out of injuries or damages to property.

Senate File 1070, an act relating to the approval, coordination, and supervision over electronic data processing for educational purposes.

Senate File 1110, an act to legalize a transfer of real property from the Board of Directors of the Prairie Community School District, Gowrie, Iowa, to Russell Jondle and Florence M. Jondle.

Senate File 1172, an act relating to the authority of the State Conservation Commission and providing a penalty.

Senate File 1188, an act relating to the publication of educational and scientific reports by the State Archaeologist.

Senate File 1198, to allow cities and towns to extend agreements to refrain from annexing specifically described territory.

Senate File 1201, an act to appropriate funds to the State Highway Commission for designated capital improvement programs.

AMENDMENTS FILED

1 Amend House File 1277 as follows:

2 1. Page 2, by adding after line 4 the following
3 new section:

4 "Sec. For all general obligation bonds issued
5 after the effective date of this Act, the taxable
6 valuation against which the levy for the retirement
7 of such general obligation bonds of a taxing district
8 is imposed, shall be adjusted by excluding the valua-
9 tion of any electric power generating plant existing at
10 the time the levy is made."

KEHE of Bremer

1 Amend the Trowbridge amendment to House File 1300,
2 filed March 16, 1972, as follows:

3 1. Line 43, by striking the word and figures
4 "January 1, 1973" and inserting in lieu thereof the
5 word and figures "July 1, 1974".

6 2. Line 44, by striking the word and figures
7 "January 1, 1974" and inserting in lieu thereof the
8 word and figures "December 31, 1974".

NIELSEN of Shelby
MOFFITT of Appanoose
PRIEBE of Kossuth

1 Amend the Trowbridge amendment to House File 1300,
2 filed March 16, 1972, as follows:

3 1. Line 8, strike the words "one-half of".

4 2. Line 19, strike the words "one-half of".

5 3. Line 44, strike the words and figures "January
6 1, 1974" and insert in lieu thereof the words and
7 figures "July 1, 1973".

NIELSEN of Shelby
MOFFITT of Appanoose
PRIEBE of Kossuth

1 Amend Senate File 1149 as follows:

2 (1) By adding the following new sections:

3 Sec. 2. Section three hundred forty point nine
4 (340.9), subsections one (1) through nine (9), Code
5 1971, are amended to read as follows:

6 1. Less than ten thousand population, [seven]
7 *eight thousand seven hundred* dollars.

8 2. Ten thousand and less than [fifteen] *twelve*
9 thousand population, [seventy-five] *nine thousand five*
10 hundred dollars.

11 3. [Fifteen] *Twelve* thousand and less than [twenty]
12 *seventeen* thousand population, [eight thousand] *ten*
13 *thousand two hundred* dollars.

14 4. [Twenty] *Seventeen* thousand and less than
15 [twenty-five] *twenty* thousand population, [eight thousand
16 five hundred] *ten thousand eight hundred fifty* dollars.

17 5. [Twenty-five] *Twenty* thousand and less than
18 [thirty] *twenty-five* thousand population, [nine thousand]
19 *eleven thousand five hundred* dollars.

20 6. [Thirty] *Twenty-five* thousand and less than
21 [thirty-five] *thirty* thousand population, [nine thousand
22 five hundred] *twelve thousand one hundred fifty* dollars.

23 7. [Thirty-five] *Thirty* thousand and less than
24 [fifty] *thirty-five* thousand population, [ten thousand
25 five hundred] *thirteen thousand four hundred fifty*
26 dollars.

27 8. [Fifty] *Thirty-five* thousand and less than
28 [seventy-five] *fifty* thousand population, [eleven thousand]
29 *fourteen thousand one hundred* dollars.

30 9. [Seventy-five] *Fifty* thousand and less than [one
31 hundred] *seventy-five* thousand population, [twelve thou-
32 sand] *fifteen thousand four hundred* dollars.

33 Sec. 3. Chapter one hundred ninety-eight (198),
34 section two (2), Acts of the Sixty-fourth General
35 Assembly, First Session, is amended to read as follows:

36 'Sec. 2. Section three hundred forty point nine
37 (340.9), Code 1971, is amended by striking subsections
38 ten (10), eleven (11), and twelve (12) and inserting
39 in lieu thereof the following [new subsection]:

40 ["One hundred thousand or more, an annual salary
41 established by the county board of supervisors, ex-
42 cept that in no case shall his annual salary be less
43 than the annual salary established in December, 1969.
44 The board may accept and utilize private grants or
45 federal funds, or both, for the purpose of paying the
46 salary of the county attorney and his assistants."]

47 10. *Seventy-five thousand and less than one*
48 *hundred twenty-five thousand population, sixteen thou-*
49 *sand seven hundred* dollars.

50 11. *One hundred twenty-five thousand and less*
51 *than two hundred thousand population, nineteen thousand*
52 *three hundred* dollars.

53 12. *Two hundred thousand or more, an annual*
54 *salary established by the county board of supervisors,*
55 *except that in no case shall his annual salary be less*

56 *than the annual salary established in December, 1969.*
57 *The board may accept and utilize private grants or*
58 *federal funds, or both, for the purpose of paying the*
59 *salary of the county attorney and his assistants."*
60 (2) Page 1, line 5, by striking the words
61 "county attorney,".

KNOKE of Pottawattamie

1 Amend Senate File 1190 as amended, passed, and
2 reprinted by the Senate as follows:
3 1. Page 2A by striking lines 4 and 5 and insert-
4 ing in lieu thereof the following: "county home
5 liaison board which shall serve in an advisory
6 capacity to the state department of health. The
7 department shall adopt distinct rules and".
8 2. Page 2A by striking the word "state" from
9 lines 9, 12 and 33.
10 3. Page 2A by striking lines 30 and 31 and
11 inserting in lieu thereof a period.
12 4. Page 2B, line 37, by inserting after the
13 word "met" the words "by the county home to be
14 licensed or which is retaining a license".
15 5. Page 3A, line 16, by striking the word
16 "state".

HOLDEN of Scott

On motion by Varley of Adair, the House adjourned until 9:00
a.m., Tuesday, March 21, 1972.

JOURNAL OF THE HOUSE

Seventy-second Calendar Day—Fifty-second Session Day

HALL OF THE HOUSE OF REPRESENTATIVES
DES MOINES, IOWA, TUESDAY, MARCH 21, 1972

The House met pursuant to adjournment, Speaker Harbor in the chair.

Prayer was offered by the Reverend David Goin, pastor of the Central Christian Church, Jefferson, Iowa.

The Journal of Monday, March 20, 1972, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Freeman of Buena Vista on request of the Speaker; Camp of Clinton on request of the Speaker.

SPECIAL GUEST

The Speaker presented to the House Lieutenant General Patrick F. Cassidy, Commanding General of the Fifth United States Army; Major General Joseph G. May, Adjutant General of Iowa; and Brigadier General Joseph B. Flatt, Commander of Troops, Iowa Army National Guard, and former member of the General Assembly.

The House rose and extended their welcome.

BIRTHDAY CONGRATULATIONS

Egenes of Story rose on a point of personal privilege and on behalf of the House extended to the Honorable Keith Dunton a "Happy Birthday."

PRESENTATION OF VISITORS

Stromer of Hancock presented to the House the Honorable R. W. Hagie, former member of the House during the Fifty-ninth, Sixtieth, and Sixtieth Extra General Assemblies and State Senator during the Sixty-first and Sixty-second General Assemblies, representing Wright and Franklin Counties.

The Speaker announced that the following visitors were present in the House chamber:

Thirty-eight government class students from Norwalk High School, Norwalk, Iowa, accompanied by Mr. Tankersley. By Middleswart of Warren.

Ten students from Burlington High School, Burlington, Iowa, accompanied by Dick Wagner and Ed Wilson. By Schmeiser of Des Moines and Monroe of Des Moines.

Two hundred eighty senior students from Des Moines Technical High School, Des Moines, Iowa, accompanied by Mr. Barlow, Mr. Tuomi and Mr. Farrow. By Alt of Polk.

Sixty fifth grade students from Nevada Community School, Nevada, Iowa, accompanied by Mrs. Gallagher and Mr. Dunn. By Larson of Story.

PETITION FILED

The following petition was received and placed on file:

By Blouin of Dubuque from thirty residents of Dubuque County favoring the adoption of legislation to allow county nursing home patients to continue to receive old age assistance.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has adopted the following concurrent resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution 111, directing the President of the United States, the Secretary of Agriculture of the United States, the Congress of the United States, and the Committees on Agriculture of the United States House of Representatives and Senate to study the present price-grading system for grains and oil seeds.

Also: That the Senate has adopted the following concurrent resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution 115, encouraging the department of public safety to conduct a study of the financing of the installation of the life line on all automobiles.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File 1283, a bill for an act relating to the income tax of non-residents.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File 1286, a bill for an act relating to the sale of real property owned by a school district.

Also: That the Senate has adopted the following joint resolution in which the concurrence of the House is asked:

Senate Joint Resolution 1007, an amendment to the State Constitution of Iowa relating to the power of the state to contract debts.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File 1210, a bill for an act relating to benefits under the peace officers' retirement systems.

CARROLL A. LANE, Secretary

SENATE MESSAGES CONSIDERED

Senate Joint Resolution 1007, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the power of the state to contract debts.

Read first time and referred to the sifting committee.

Senate File 1210, a bill for an act relating to benefits under the peace officers' retirement system.

Read first time and referred to the sifting committee.

MOTION TO RECONSIDER CONFERENCE COMMITTEE REPORT (Senate File 85)

I move to reconsider the vote by which the House adopted the Conference Committee Report on Senate File 85, on March 20, 1972.

KENNEDY of Chickasaw

MOTION TO RECONSIDER (Senate File 85)

I move to reconsider the vote by which Senate File 85 passed the House on March 20, 1972.

KENNEDY of Chickasaw

CONSIDERATION OF BILLS UNFINISHED BUSINESS CALENDAR

The House resumed consideration of **Senate File 185**, a bill for an act to combine the present county fund for health with the state institution fund, redesignating the latter as the county mental health and institutions fund, prescribing the purposes for which such fund may be used and authorizing a levy therefor.

Holden of Scott offered the following amendment filed by him and Shaw of Scott and moved its adoption:

Amend Senate File 185, as amended and passed by the Senate, by striking paragraph e of subsection one (1) of Section 1 and inserting in lieu thereof the following:

“e. Care and treatment of persons admitted or committed to the alcoholic treatment center at Oakdale or any facilities as provided in chapter one hundred twenty-three B (123B) of the Code, provided, however, that any such admission shall be reported to the county board of supervisors within five days by the center or facility offering such treatment.”

The amendment was adopted.

Knoke of Pottawattamie offered the following amendment filed by him and Schroeder of Pottawattamie and moved its adoption:

Amend Senate File 185, as amended and passed by the Senate, page 3, by inserting after line 35 the following:

“Should any county fail to levy a tax sufficient to meet the expenses which the county is required to pay, or which the board of supervisors chooses to pay, from the county mental health and institutions fund pursuant to this section, the deficiency shall be met by transfer of funds from the county general fund to the county mental health and institutions fund.”

The amendment was adopted.

Rex of Hamilton offered the following amendment filed by Rex, et al.:

Amend Senate File 185, as amended and adopted by the Senate, as follows:

1. Page 5, by inserting after line 20 the following new section:

“Sec. Section two hundred thirty point fifteen (230.15), Code 1971, is amended as follows:

230.15 PERSONAL LIABILITY. Mentally ill persons and persons legally liable for their support shall remain liable for the support of such mentally ill. Persons legally liable for the support of a mentally ill person shall include the spouse[, father, mother, and adult children] of [such] *the* mentally ill person, [and] any person, firm, or corporation bound by contract [hereafter made] for support of *the mentally ill person, and, with respect to mentally ill persons under twenty-one years of age only, the father and mother of the mentally ill person.* The county auditor, subject to the direction of the board of supervisors, shall

enforce the obligation herein created as to all sums advanced by the county. *The liability to the county incurred under this section on account of any mentally ill person shall be limited to one hundred percent of the cost of care and treatment of the mentally ill person at a state mental health institute for the first one hundred twenty days of hospitalization, and thereafter to an amount not in excess of the average minimum cost of the maintenance of a physically and mentally healthy individual residing in his own home, which standard shall be established and may from time to time be revised by the department of social services. No lien imposed by section two hundred thirty point twenty-five (230.25) of the Code shall exceed the amount of the liability which may be incurred under this section on account of any mentally ill person.*

Nothing in this section shall be construed to prevent a relative or other person from voluntarily paying the full actual cost of the care and treatment of any mentally ill person as established by the department of social services.

Persons who as of July 1, 1971, are hospitalized in any state mental health institute, or who on that date or any later date have been so hospitalized for a total of one hundred twenty days or more, shall be considered to have incurred liability for one hundred percent of the cost of their care and treatment for one hundred twenty days, and shall thereafter be entitled to reduced liability as provided by this section. There shall be no forgiveness of any liability existing on July 1, 1971 for the cost of care and treatment of mentally ill persons, except as provided in section 230.17 and no person who has paid any such costs prior to that date shall be entitled to any refund by reason of this section

2. By renumbering sections to conform to this amendment.

Speaker pro tempore Millen in the chair at 10:02 a.m.

Hill of Polk offered from the floor the following amendment to the amendment and moved its adoption:

Amend the Rex, et al., amendment to Senate File 185, filed March 7, 1972, by striking from lines 41 and 50 the figures "1971" and inserting in lieu thereof the figures "1972".

The amendment to the amendment was adopted.

Rex of Hamilton moved the adoption of the Rex, et al., amendment as amended.

A non-record roll call was requested.

The ayes were 80, nays 2.

The amendment as amended was adopted.

Stromer of Hancock offered the following amendment filed by Stromer, et al.:

Amend Senate File 185, as amended and passed by the Senate, page 6, line 24, by inserting after the period the following:

"However, the county board of supervisors shall not expend from such fund for treatment other than in a state institution an amount which would exceed twelve dollars per capita for counties which exceed forty thousand in population and eight dollars per capita for counties having less than forty thousand population."

Shaw of Scott offered the following amendment to the amendment filed by her and moved its adoption:

Amend the Stromer, et al., amendment to Senate File 185, filed March 2, 1972, as follows:

1. By striking all of line 7.
2. Line 8, by striking the words "forty thousand in population and".

A non-record roll call was requested.

The ayes were 44, nays 29.

The amendment to the amendment was adopted.

Stromer of Hancock moved the adoption of the Stromer, et al., amendment as amended.

A non-record roll call was requested.

The ayes were 48, nays 35.

The amendment as amended was adopted.

Shaw of Scott moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 185)

The ayes were. 82:

Alt	Clark	Dunton	Franklin
Anania	Cochran	Edelen	Gluba
Andersen	Curtis	Egenes	Grassley
Bennett	Den Herder	Ellsworth	Hamilton
Bergman	Dougherty	Ewell	Harbor
Blouin	Doyle	Fischer, H. O.	Hill
Bray	Drake	Fisher, C. R.	Holden

Husak	McCormick	Rex	Strothman
Jesse	McElroy	Rodgers	Tieden
Johnston	Mendenhall	Sargisson	Trowbridge
Kelly	Middleswart	Schmeiser	Uban
Kennedy	Miller	Schroeder	Varley
Kinley	Moffitt	Schwartz	Waugh
Knoblauch	Monroe	Scott	Welden
Knoke	Nielsen	Shaw	Wells
Kreamer	Norpel	Siglin	Willits
Kruse	Nystrom	Small	Wirtz
Larson	Patton	Sorg	Wyckoff
Lawson	Pellett	Stanley	Mr. Speaker
Lipsky	Pelton	Stokes	(Millen)
Logemann	Priebe	Strand	

The nays were, 7: ,

Campbell	Kehe	Stromer	Winkleman
Christensen	Menefee	Taylor	

Absent or not voting, 11:

Camp	Hansen	Pierson	Schwieger
Freeman	Mayberry	Radl	Skinner
Goode	Mollett	Roorda	

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

Kreamer of Polk in the chair at 11:30 a.m.

MOTION TO RECONSIDER LOST
(House File 1291)

Lipsky of Linn called up for consideration the Radl motion to reconsider **House File 1291**, a bill for an act relating to the establishment of an office of citizens' aide, his duties and providing penalties and making an appropriation, filed on March 16, 1972, and found on page 1227 of the House Journal, and moved to reconsider the vote by which House File 1291 passed the House on March 15, 1972.

A non-record roll call was requested.

The ayes were 22, nays 50.

The motion lost.

Varley of Adair in the chair at 11:50 a.m.

ADOPTION OF CONFERENCE COMMITTEE REPORT
(Senate File 1091)

Kreamer of Polk called up for consideration the report of the conference committee on **Senate File 1091**, a bill for an act making an appropriation to the department of public instruction for the purpose of participating in certain federal programs, as follows:

REPORT OF THE CONFERENCE COMMITTEE
ON SENATE FILE 1091

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to consider the difference between the Senate and the House of Representatives on Senate File 1091, a bill for an act making an appropriation to the department of public instruction for the purpose of participating in certain federal programs, respectfully submit the following recommendations:

1. That the House of Representatives recede from its amendment.
2. That Senate File 1091, page 2, be amended by striking lines 15 through 25, inclusive, and inserting in lieu thereof the following:

"Sec. 4. Section two hundred eighty-three A point two (283A.2), Code 1971, is amended to read as follows:

283A.2 SCHOOL BOARDS. School boards shall have power to operate or provide for the operation of school lunch programs in schools under their jurisdiction, and may use therefor funds disbursed to them under the provisions of this chapter, gifts, funds received from sale of school lunches under such programs, and any other funds legally available.

Beginning with the school year 1973-74, and continuing each school year thereafter, all school districts shall operate or provide for the operation of school lunch programs at all public schools in each district, which programs shall be operated in compliance with the rules of the department of public instruction and pertinent federal rules, for all students in each district who attend public school four or more hours each school day and wish to participate in a school lunch program, and school districts may provide such programs for other students."

On the part of the Senate:

W. CHARLENE CONKLIN, Chairman
EARL G. BASS
GENE V. KENNEDY
RUDY VAN DRIE

On the part of the House:

ROBERT M. KREAMER, Chairman
KEITH H. DUNTON
LILLIAN McELROY
RAYMOND J. TAYLOR

Kreamer of Polk moved the adoption of the conference committee report and the amendments contained therein.

A non-record roll call was requested.

The ayes were 74, nays 6.

The report was adopted.

Kreamer of Polk moved that the bill be read a last time now and placed upon its repassage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 1091)

The ayes were, 82:

Alt	Hamilton	Menefee	Shaw
Anania	Hansen	Middleswart	Siglin
Andersen	Harbor	Miller	Small
Bennett	Hill	Moffitt	Sorg
Blouin	Husak	Monroe	Stanley
Bray	Jesse	Nielsen	Stokes
Christensen	Johnston	Norpel	Strand
Clark	Kehe	Nystrom	Stromer
Curtis	Kelly	Pellet	Strothman
Den Herder	Kennedy	Pelton	Taylor
Dougherty	Kinley	Priebe	Tieden
Doyle	Knoblauch	Radl	Trowbridge
Dunton	Knoke	Rex	Uban
Edelen	Kreamer	Rodgers	Waugh
Egenes	Larson	Roorda	Willits
Ellsworth	Lawson	Sargisson	Winkelman
Fischer, H. O.	Lipsky	Schmeiser	Wirtz
Fisher, C.R.	Logemann	Schroeder	Wyckoff
Franklin	Mayberry	Schwartz	Mr. Speaker
Gluba	McCormick	Schwieger	(Varley)
Grassley	Mendenhall	Scott	

The nays were, none.

Absent or not voting, 18:

Bergman	Ewell	McElroy	Pierson
Camp	Freeman	Millen	Skinner
Campbell	Goode	Mollett	Welden
Cochran	Holden	Patton	Wells
Drake	Kruse		

The bill having received a constitutional majority was declared to have repassed the House and the title was agreed to.

The House was recessed until 1:30 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Harbor in the chair.

HOUSE FILE 183 WITHDRAWN

Grassley of Butler asked and received unanimous consent to withdraw **House File 183** from further consideration by the House.

SENATE AMENDMENTS CONSIDERED

Logemann of Worth called up for consideration **House File 1127**, a bill for an act relating to a penalty for the possession or consumption of alcoholic liquors or beer on public school property or while attending school-related functions, amended by the Senate, and moved that the House concur in the following Senate amendment:

Amend House File 1127, as amended and passed by the House, as follows:

1. Page 1, line 18, by adding after the word "school" the words "or that portion thereof,".

2. Page 1, by adding after line 22 the following new section:

"Sec. Section two hundred seventy-nine point nine (279.9), Code 1971, as amended by chapter one hundred forty-nine (149), section ten (10), Acts of the Sixty-fourth General Assembly, First Session, is further amended to read as follows:

279.9 USE OF TOBACCO. Such rules shall prohibit the use of tobacco and the use or possession of alcoholic liquor or beer or any controlled substance as defined in Senate File 1, section 101, subsection 6, Acts of the Sixty-fourth General Assembly, First Session, by any student of such schools and the board may suspend or expel any student for any violation of such rule."

Motion prevailed and the House concurred in the Senate amendment.

Logemann of Worth moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its repassage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1127)

The ayes were, 76:

Alt	Gluba	Menefee	Scott
Anania	Grassley	Middleswart	Shaw
Andersen	Hamilton	Millen	Small
Bennett	Hansen	Miller	Sorg
Bergman	Hill	Moffitt	Stanley
Campbell	Holden	Nielsen	Stokes
Christensen	Husak	Norpel	Strand
Clark	Jesse	Nystrom	Stromer
Cochran	Johnston	Patton	Strothman
Curtis	Kelly	Pellet	Taylor
Den Herder	Kinley	Pelton	Tieden
Dougherty	Knoblauch	Pierson	Trowbridge
Doyle	Kreamer	Priebe	Varley
Drake	Kruse	Rodgers	Waugh
Dunton	Lawson	Roorda	Wells
Egenes	Lipsky	Sargisson	Willits
Ellsworth	Logemann	Schroeder	Winkelman
Fischer, H. O.	McCormick	Schwartz	Wyckoff
Fisher, C. R.	McElroy	Schwieger	Mr. Speaker

The nays were, 14:

Blouin	Franklin	Monroe	Uban
Bray	Kennedy	Schmeiser	Welden
Edelen	Larson	Skinner	Wirtz
Ewell	Mayberry		

Absent or not voting, 10:

Camp	Kehe	Mollett	Rex
Freeman	Knoke	Radl	Siglin
Goode	Mendenhall		

The bill having received a constitutional majority was declared to have repassed the House and the title was agreed to.

SENATE AMENDMENT DEFERRED AND PENDING
(House File 1272)

Fischer of Grundy called up for consideration **House File 1272**, a bill for an act relating to bonded warehouses, amended by the Senate, as follows:

Amend House File 1272 as passed by the House as follows:

1. Page 2, by striking lines 7 through 13, inclusive.
2. Page 6, by striking lines 26 through 35, inclusive; page 7, by striking lines 1 through 35, inclusive; and page 8, by striking lines 1 through 6, inclusive.
3. Renumber the subsequent sections accordingly.

Schroeder of Pottawattamie offered from the floor the following amendment to the Senate amendment and moved its adoption:

Amend the Senate amendment to House File 1272 as follows:

1. By inserting after line 5 the following:

“3. Page 8 by inserting after line 6 the following new section:

Sec. 9. Section five hundred forty-three point thirty (543.30), Code 1971, is amended to read as follows:

543.30 INSPECTING AND GRADING. Grain, flaxseed, or any other fungible agricultural product stored in a warehouse licensed under this chapter or an *unlicensed warehouse pursuant to section five hundred forty-three point seventeen (543.17)*, for which no separate compartment is provided, and its identity preserved, shall be inspected and graded, and the *warehouseman, upon request, shall notify the depositor or his delivering agent of the grade prior to commingling it.*”

2. By renumbering the subsequent sections accordingly.

A non-record roll call was requested.

The ayes were 52, nays 26.

The amendment to the amendment was adopted.

Fischer of Grundy moved that House File 1272 be tabled.

A non-record roll call was requested.

The ayes were 14, nays 70.

The motion lost.

Schroeder of Pottawattamie moved that the House concur in the Senate amendment as amended.

The motion prevailed and the House concurred in the Senate amendment as amended.

Egenes of Story moved to reconsider the vote by which the House concurred in the Senate amendment as amended.

A non-record roll call was requested.

The ayes were 47, nays 37.

The motion prevailed.

Egenes of Story moved to reconsider the vote by which the Schroeder amendment to the Senate amendment was adopted.

A non-record roll call was requested.

The ayes were 41, nays 42.

The motion lost.

(House File 1272 and Senate amendment as amended deferred and pending.)

Speaker pro tempore Millen in the chair at 3:48 p.m.

MOTION TO RECONSIDER LOST

(Senate File 85)

Priebe of Kossuth called up for consideration the motion to reconsider Senate File 85, filed by Kennedy of Chickasaw, and moved to reconsider the vote by which Senate File 85, a bill for an act creating a department of environmental quality, specifying its powers, duties and functions, and providing penalties for violations thereof, passed the House on March 20, 1972.

Roll call was requested by Priebe of Kossuth and Blouin of Dubuque.

Rule 70 was invoked.

On the question "Shall the vote by which Senate File 85 passed the House be reconsidered?"

The ayes were, 48:

Anania	Grassley	Norpel	Siglin
Bergman	Husak	Patton	Skinner
Bray	Knoblauch	Pierson	Stokes
Christensen	Larson	Priebe	Strothman
Curtis	Logemann	Radl	Taylor
Den Herder	McElroy	Rex	Tieden
Dougherty	Mendenhall	Rodgers	Trowbridge
Doyle	Menefee	Sargisson	Waugh
Edelen	Middleswart	Schmeiser	Welden
Fischer, H. O.	Miller	Schwartz	Wells
Fisher, C. R.	Monroe	Schwieger	Winkelman
Franklin	Nielsen	Scott	Wyckoff

The nays were, 43:

Alt	Ewell	Knoke	Small
Andersen	Gluba	Kreamer	Sorg
Bennett	Hamilton	Kruse	Stanley
Blouin	Hansen	Lawson	Strand
Campbell	Hill	Lipsky	Stromer
Clark	Holden	Mayberry	Uban
Cochran	Jesse	McCormick	Varley
Drake	Johnston	Moffitt	Willits
Dunton	Kehe	Pelton	Wirtz
Egenes	Kelly	Roorda	Mr. Speaker
Ellsworth	Kinley	Shaw	(Millen)

Absent or not voting, 9:

Camp	Harbor	Mollett	Pellett
Freeman	Kennedy	Nystrom	Schroeder
Goode			

The motion lost.

SUSPENSION OF HOUSE RULE 36

(House File 1274)

Varley of Adair moved that House Rule 36 be suspended for the consideration of House File 1274.

Roll call was requested by Varley of Adair and Wirtz of Palo Alto.

On the question "Shall House Rule 36 be suspended for the consideration of House File 1274?"

The ayes were, 58:

Alt	Grassley	Middleswart	Stokes
Andersen	Hamilton	Miller	Strand
Bergman	Hansen	Moffitt	Stromer
Campbell	Harbor	Nielsen	Strothman
Christensen	Hill	Pellett	Taylor
Clark	Holden	Pelton	Tieden
Curtis	Knoke	Pierson	Trowbridge
Den Herder	Kreamer	Priebe	Varley
Dougherty	Kruse	Rex	Waugh
Drake	Lawson	Rodgers	Winkelman
Dunton	Lipsky	Sargisson	Wirtz
Edelen	Logemann	Schwartz	Wyckoff
Egenes	McElroy	Shaw	Mr. Speaker
Ellsworth	Mendenhall	Siglin	(Millen)
Fisher, C. R.	Menefee	Stanley	

The nays were, 31:

Anania	Gluba	Larson	Scott
Bennett	Husak	Mayberry	Skinner
Blouin	Jesse	McCormick	Small
Bray	Johnston	Monroe	Uban
Cochran	Kehe	Norpel	Welden
Doyle	Kennedy	Patton	Wells
Ewell	Kinley	Radl	Willits
Franklin	Knoblauch	Schmeiser	

Absent or not voting, 11:

Camp	Goode	Nystrom	Schwieger
Fischer, H. O.	Kelly	Roorda	Sorg
Freeman	Mollett	Schroeder	

The motion prevailed.

SIFTING COMMITTEE CALENDAR

House File 1274, a bill for an act relating to the implied consent test for alcohol, and providing a penalty, with report of committee recommending passage, was taken up for consideration.

Wirtz of Palo Alto moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1274)

The ayes were, 69:

Alt	Fisher, C. R.	Middleswart	Stanley
Anania	Gluba	Miller	Stokes
Andersen	Grassley	Moffitt	Strand
Bennett	Hamilton	Nielsen	Stromer
Bergman	Hansen	Norpel	Strothman
Campbell	Hill	Patton	Taylor
Christensen	Holden	Pellett	Tieden
Clark	Kinley	Pierson	Trowbridge
Curtis	Knoblauch	Priebe	Varley
Den Herder	Knoke	Rex	Waugh
Dougherty	Kreamer	Rodgers	Wells
Doyle	Kruse	Sargisson	Willits
Drake	Lawson	Schwartz	Winkelman
Dunton	Lipsky	Scott	Wirtz
Edelen	Logemann	Shaw	Wyckoff
Egenes	McElroy	Siglin	Mr. Speaker
Ellsworth	Mendenhall	Small	(Millen)
Ewell	Menefee		

The nays were, 20:

Blouin	Johnston	McCormick	Schwieger
Bray	Kehe	Monroe	Skinner
Cochran	Kennedy	Pelton	Sorg
Husak	Larson	Radl	Uban
Jesse	Mayberry	Schmeiser	Welden

Absent or not voting, 11:

Camp	Freeman	Kelly	Roorda
Fischer, H. O.	Goode	Mollett	Schroeder
Franklin	Harbor	Nystrom	

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

SENATE AMENDMENTS CONSIDERED

Shaw of Scott called up for consideration **House File 556**, a bill for an act relating to actions arising out of the rendition of services under the Uniform Anatomical Gift Act, amended by the Senate, and moved that the House concur in the following Senate amendment:

Amend House File 556, page 1, by striking all after the period in line 16 and all of lines 17 through 19, inclusive, and by inserting in lieu thereof the following:

"However, any person or entity that renders such service warrants only under this section that due care has been exercised and that acceptable professional standards of care in providing such service according to the current state of the medical arts have been followed. Strict liability, in tort, shall not be applicable to the rendition of such service."

Motion prevailed and the House concurred in the Senate amendment.

Shaw of Scott moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its repassage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 556)

The ayes were, 87:

Alt	Gluba	Menefee	Shaw
Anania	Grassley	Middleswart	Siglin
Andersen	Hamilton	Miller	Skinner
Bennett	Hansen	Moffitt	Small
Bergman	Harbor	Monroe	Sorg
Blouin	Hill	Nielsen	Stanley
Bray	Husak	Norpel	Stokes
Campbell	Johnston	Nystrom	Strand
Christensen	Kehe	Patton	Stromer
Clark	Kinley	Pellett	Strothman
Cochran	Knoblauch	Pelton	Taylor
Curtis	Knoke	Pierson	Tieden
Dougherty	Kreamer	Priebe	Trowbridge
Doyle	Kruse	Radl	Varley
Drake	Larson	Rex	Waugh
Dunton	Lawson	Rodgers	Welden
Edelen	Lipsky	Sargisson	Wells
Egenes	Logemann	Schmeiser	Willits
Ellsworth	Mayberry	Schroeder	Winkelman
Ewell	McCormick	Schwartz	Wyckoff
Fisher, C. R.	McElroy	Schwieger	Mr. Speaker
Franklin	Mendenhall	Scott	(Millen)

The nays were, 1:

Uban

Absent or not voting, 12:

Camp	Freeman	Jesse	Mollett
Den Herder	Goode	Kelly	Roorda
Fischer, H. O.	Holden	Kennedy	Wirtz

The bill having received a constitutional majority was declared to have repassed the House and the title was agreed to.

Tieden of Clayton called up for consideration **House File 711**, a bill for an act relating to registration and safety regulations for snowmobiles and providing a penalty for the violations thereof, amended by the Senate as follows:

Amend House File 711 as amended and passed by the House as follows:

1. Page 4, by adding after line 7 the following new subsection and renumbering the subsequent subsection accordingly.

“..... Railroad right-of-way shall mean the full width of property owned, leased or subject to easement for railroad purposes and shall not be limited to those areas on which tracks are located.”

2. Page 7, line 2, by inserting after the number and comma “1972,” the words “except when operated or used in an authorized special event,”.

3. Page 7, by striking lines 25 through 27, inclusive, and on page 8, by striking lines 1 through 4, inclusive.

4. Page 8, line 5, by striking the number “7” and inserting in lieu thereof the number “6”.

5. Page 8, line 12, by striking the number “8” and inserting in lieu thereof the number “7”.

6. Page 8, by adding after line 13 the following new subsection:

“..... Upon an operating railroad right-of-way. A snowmobile may be driven directly across a railroad right-of-way only at an established crossing and, notwithstanding any other provisions of law, may, where necessary, use the improved portion of such established crossing after yielding to all oncoming traffic. The provisions of this subsection shall not apply to any law enforcement officer or railroad employee in the lawful discharge of his duties.”

7. Page 12, by striking line 25 and inserting in lieu thereof the following: “7. The state, its political subdivisions, and the owners of property adjoining the right-of-way of a public highway and their agents and employees owe no”.

8. Page 13, line 8, by striking the words “or any” and inserting in lieu thereof a comma.

9. Page 13, line 9, by striking the word “of” and inserting after the word “subdivisions” the following: “, or the owners of property adjoining the right-of-way of a public highway and their agents and employees”.

10. Page 13, line 13, by striking the word “or” and inserting in lieu thereof a comma and inserting before the word

"shall" the words "and the owners of property adjoining the right-of-way of a public highway and their agents and employees".

11. Page 1, line 1, amend the title by inserting after the word "relating" the words " , to liability arising out of the use of snowmobiles,".

Uban of Black Hawk offered the following amendment from the floor and moved its adoption:

Amend the Senate amendment to House File 711 by striking lines 9, 10, and 11.

A non-record roll call was requested.

The ayes were 51, nays 34.

The amendment to the Senate amendment was adopted.

Tieden of Clayton moved that the House concur in the Senate amendment as amended.

The motion prevailed and the House concurred in the Senate amendment as amended.

Tieden of Clayton moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed up its repassage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 711)

The ayes were, 86:

Alt	Gluba	McElroy	Shaw
Anania	Grassley	Mendenhall	Skinner
Andersen	Hansen	Menefee	Small
Bennett	Harbor	Middleswart	Sorg
Bergman	Hill	Miller	Stanley
Blouin	Holden	Moffitt	Stokes
Bray	Jesse	Nielsen	Strand
Christensen	Johnston	Norpel	Stromer
Clark	Kehe	Nystrom	Strothman
Cochran	Kelly	Patton	Taylor
Curtis	Kennedy	Pellet	Tieden
Den Herder	Kinley	Pelton	Trowbridge
Doyle	Knoblauch	Pierson	Uban
Drake	Knoke	Priebe	Varley
Dunton	Kreamer	Radl	Waugh
Edelen	Kruse	Rodgers	Wells
Egenes	Larson	Roorda	Willits
Ellsworth	Lawson	Sargisson	Winkelman
Ewell	Lipsky	Schroeder	Wyckoff
Fischer, H. O.	Logemann	Schwartz	Mr. Speaker
Fisher, C. R.	Mayberry	Schwieger	(Millen)
Franklin	McCormick	Scott	

The nays were, 7:

Dougherty	Monroe	Schmeiser	Wirtz
Husak	Rex	Welden	

Absent or not voting, 7:

Camp
Campbell

Freeman
Goode

Hamilton
Mollett

Siglin

The bill having received a constitutional majority was declared to have repassed the House and the title as amended by the Senate was agreed to.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File 376, a bill for an act relating to vehicle equipment requirements.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File 1034, a bill for an act relating to facilities required of class "B" permit holders.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File 1056, a bill for an act relating to legal holidays for state employees.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File 1059, a bill for an act relating to the authority of merged areas to borrow money for school facilities.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File 1200, a bill for an act relating to the control of swine brucellosis.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File 1217, a bill for an act permitting a school corporation to transfer moneys from the general fund to the schoolhouse fund.

CARROLL A. LANE, Secretary

SENATE MESSAGES CONSIDERED

Senate File 376, a bill for an act relating to vehicle equipment requirements.

Read first time and referred to the sifting committee.

Senate File 1218, a bill for an act relating to occupational safety and health and providing penalties for violations.

Read first time and referred to the sifting committee.

Senate File 1200, a bill for an act relating to control of swine brucellosis.

Read first time and referred to the sifting committee.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Miller of Marshall, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: House Files 1032, 1045, 1075, 1089, 1207, 1282 and 1292.

ELIZABETH R. MILLER
Chairman, House Committee
JOHN C. RHODES
Chairman, Senate Committee

Report adopted.

BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House the following bills: House Files 1032, 1045, 1075, 1089, 1207, 1282 and 1292.

BILLS SENT TO THE GOVERNOR

Miller of Marshall, from the committee on enrolled bills, submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this 21st day of March, 1972, sent to the Governor for his approval: House Files 1032, 1045, 1075, 1089, 1207, 1282 and 1292.

ELIZABETH R. MILLER, Chairman

Report adopted.

BILL SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 16, 1972, he approved and transmitted to the Secretary of State the following bills:

House File 574, an act relating to home rule for cities; establishing the City Code of Iowa which provides for powers and duties of cities including the power to impose penalties by ordinance, city development, organization of city government, city elections, city legislation, city finance including the power to issue bonds, city utilities, and administrative agencies of cities; coordinating the Code of Iowa with the City Code of Iowa; repealing incompatible chapters in title fifteen (15) and reenacting provisions from title fifteen (15) which belong in other parts of the Code of Iowa; removing inconsistent references, incorrect provisions, limited grants of power, and restrictions based upon population; and providing for a state housing code and penalties for violations thereof, to be enforced in cooperation with city officials.

REPORT OF SIFTING COMMITTEE

MR. SPEAKER: Your sifting committee begs leave to report that it had the following bills under consideration and recommends that they be placed on the sifting committee calendar:

- S. F. 1218 Relating to occupational safety and health. By committee on human and industrial relations.
- S. F. 1190 Relating to the regulation of county homes. By committee on county government.
- S. F. 517 Revise, update and correct certain sections of Code relating to school districts and school corporations. By committee on schools.
- H. F. 1196 Relating to planning for and conversion of Terrace Hill. By Dunton, Alt, Sargisson, et al.
- S. F. 1200 Relating to control of swine brucellosis. By committee on agriculture.
- H. F. 1162 Relating to the renewal of automobile insurance. By Hansen, Ellsworth and Schmeiser.
- S. F. 163 Relating to retirement systems for policemen and firemen. By committee on cities and towns.

VARLEY of Adair, Chairman

REPORT OF SIFTING COMMITTEE
(NONCONTROVERSIAL CALENDAR)

MR. SPEAKER: Your sifting committee begs leave to report that it had the following bills under consideration and recommends that they be placed on the sifting committee noncontroversial calendar:

- S. F. 1057 Relating to exceptions to the time limits during which certain civil actions must be brought. By Van Drie.
- H. F. 1198 Relating to the appeal of a condemnation award. By judiciary.
- H. F. 1205 Relating to motor vehicle accident reports. By Kreamer.
- S. F. 1195 Relating to the drawing of grand jurors. By county government committee.
- S. F. 1184 Relating to the payment of the tax equivalent on industrial projects supported by cities and towns. By ways and means.
- S. F. 1192 Relating to the control of dangerous substances and the board of pharmacy. By law enforcement.
- S. F. 1191 Relating to business corporations. By judiciary.
- S. F. 1171 Related to licensing of vehicles from which food and dairy products are sold. By agriculture.
- S. F. 1038 Relating to eminent domain. By Van Gilst.
- S. F. 1132 Correcting erroneous, inconsistent, and obsolete sections of the Code of Iowa. By judiciary.
- S. F. 1206 Relating to the method of paying state employees. By committee on state government.
- S. F. 323 Relating to negotiation proceedings of public agencies. By Davis and Doderer.
- S. F. 1134 Relating to the regulation of trout fishing. By committee on conservation and recreation.
- S. F. 376 Relating to vehicle equipment requirements. By Coleman and Kyhl.

VARLEY of Adair, Chairman

AMENDMENTS FILED

- 1 Amend House File 366 as follows:
2 1. Page 3, line 13, by inserting after the period
3 the following new sentence:
4 "In order to qualify as a supervisory employee,
5 an individual must have the authority to perform the
6 preponderance of these specified acts of authority."
7 2. Page 6, line 23, by striking the figure "1971"
8 and inserting in lieu thereof the figure "1972".
9 3. Page 6, line 24, by striking the figure "1973"
10 and inserting in lieu thereof the figure "1974".
11 4. Page 6, line 25, by striking the figure "1971"
12 and inserting in lieu thereof the figure "1972".
13 5. Page 6, line 26, by striking the figure "1975"
14 and inserting in lieu thereof the figure "1976".
15 6. Page 6, line 27, by striking the figure "1971"
16 and inserting in lieu thereof the figure "1972".
17 7. Page 6, line 27, by striking the figure "1977"
18 and inserting in lieu thereof the figure "1978".
19 8. Page 7, line 23, by striking the words "fact
20 finders" and inserting in lieu thereof the word
21 "arbitrators".
22 9. Page 7, line 29, by striking the words "fact
23 finders" and inserting in lieu thereof the word
24 "arbitrators".
25 10. Page 14, line 20, by striking the words "fact
26 finders and".
27 11. Page 14, line 22, by striking the words "fact
28 finders and".
29 12. Page 15, lines 8 and 9, by striking the word
30 "fact-finding" and inserting in lieu thereof the word
31 "arbitration".
32 13. Page 15, line 9, by striking the words "fact
33 finders" and inserting in lieu thereof the word
34 "arbitrators".
35 14. Page 15, line 12, by striking the word "fact-
36 finding" and inserting in lieu thereof the word
37 "arbitration".
38 15. Page 15, line 18, by striking the word "fact-
39 finding" and inserting in lieu thereof the word
40 "arbitration".
41 16. Page 15, by striking lines 30 through 35,
42 inclusive, and inserting in lieu thereof the following
43 new sections:
44 Sec. FINAL OFFER ARBITRATION.
45 1. If the impasse is not resolved through mediation
46 within twenty-five days, the parties may mutually
47 agree to notify the chairman of the board that they
48 wish to submit the dispute to final offer arbitration,
49 or if the parties fail to resolve the impasse at least
50 ninety-five days prior to the certified budget
51 submission date, the parties shall notify the chairman
52 of the board and the parties shall submit the dispute
53 to final offer arbitration.

54 2. Each party shall submit within four days of
55 notification to the board, a final offer to the
56 chairman of the board, with proof of service of a
57 copy thereof upon the other party, to be preserved
58 for the board of arbitrators. At the same time, each
59 party may submit one alternative offer to the other
60 party. The offer submitted to the chairman of the
61 board shall constitute a complete draft of the proposed
62 collective bargaining agreement and submit for
63 arbitration a proposal on specific impasse items.
64 The parties may continue to negotiate all offers until
65 an agreement is reached or a decision is rendered
66 by a board of arbitrators.

67 3. The board of arbitrators shall consist of three
68 members, one appointed by the employer, one appointed
69 by the bargaining agent. These appointments shall
70 be made within four days after notice to the chairman
71 of the board that the dispute was not resolved through
72 mediation. The two members appointed shall mutually
73 agree upon a third member within four days. The third
74 member appointed shall be the chairman of the board
75 of arbitrators.

76 4. If after four days the third member has not
77 been mutually agreed upon, a list of three arbitrators
78 with experience in public sector arbitration shall
79 be submitted to both parties by the board. The
80 designee of the employer shall have two days to remove
81 one name and the bargaining agent or his designee
82 shall have one additional day to remove one of the
83 two remaining names. The remaining member shall become
84 the chairman of the board of arbitrators. The chairman
85 shall call a meeting within ten days thereafter, at
86 a location designated by the chairman.

87 5. If a vacancy should occur on the board of
88 arbitrators, the selection for replacement of such
89 member shall be in the same manner and within the
90 same time limits as the original member was chosen.
91 No final selection under subsection eight (8) of this
92 section shall be made by the board until the vacancy
93 has been filled.

94 6. The board of arbitrators shall at no time
95 engage in an effort to mediate or otherwise settle
96 the dispute in any manner other than that prescribed
97 in this section.

98 7. From the time of appointment until such time
99 as the board of arbitrators makes its final
100 determination, there shall be no discussion relating
101 to recommendations for settlement of the dispute by
102 the members of the board of arbitrators with parties
103 other than those who are direct parties to the dispute.
104 The board of arbitrators shall have the power to
105 subpoena any persons necessary to arrive at a decision
106 and shall conduct formal or informal hearings to
107 discuss offers submitted by both parties.

108 8. The board of arbitrators shall take into account
109 the following factors:

110 a. Past collective bargaining contracts between
111 the parties including the bargaining that led up to
112 such contracts.

113 b. Comparison of wages, hours, and conditions
114 of employment of the involved employees with those
115 of other employees doing comparable work, giving
116 consideration to factors peculiar to the area and
117 the classifications involved.

118 c. The interests and welfare of the public, the
119 ability of the employer to finance economic adjustments
120 and the effect of such adjustments on the normal
121 standard of services.

122 9. The board of arbitrators shall select within
123 fifteen days from the date of its last meeting the
124 most reasonable, in its judgment, of the final offers
125 on the impasse items submitted by the parties, unless
126 a majority of the board of arbitrators finds both
127 positions to be unreasonable. If the board of
128 arbitrators finds the offers of the parties to be
129 unreasonable on any of the impasse items, it shall
130 reject the last offers of the parties on those items
131 only. The parties shall then have four days to submit
132 a second offer on the unresolved items to the board
133 of arbitrators. The board of arbitrators shall select,
134 within ten days the most reasonable of the items in
135 the second final offers submitted by the parties.

136 10. The board of arbitrators shall not compromise
137 or alter any of the items in any final offer submitted
138 as provided in subsection nine (9) of this section.
139 Selection of an offer shall be based on the content
140 of that offer and no consideration shall be given
141 to, nor shall any evidence be received concerning
142 the collective bargaining in this dispute including
143 offers of settlement not contained in the offers
144 submitted to the board of arbitrators unless there
145 is mutual agreement to submit proposals on specific
146 impasse items. In such case, the board of arbitrators
147 shall consider all previously agreed upon items.

148 11. The offer selected by the board of arbitrators,
149 including any previously agreed upon items, shall
150 be deemed to represent the contract between the
151 parties.

152 12. The determination of the board of arbitrators
153 shall be by majority and shall be final and binding.
154 The board of arbitrators shall give written explanation
155 for its selection.

156 13. If the board of arbitrators is unable to reach
157 agreement on the second offer within ten days or if
158 the final offer procedures fail to settle the impasse
159 at least thirty days prior to the certified budget
160 submission date, the board shall not be bound by the
161 previous final offer positions of the parties and

162 shall make any settlement of the impasse it deems
 163 to be fair and reasonable. The board of arbitrators
 164 shall inform the parties of its findings not later
 165 than ten days prior to the certified budget submission
 166 date. The board of arbitrators shall give the parties
 167 written explanation of its findings.

168 14. The board of arbitrators' determination shall
 169 be final and binding.

170 15. If the board of arbitrators fails to act
 171 within the time limits set forth in this Act, the
 172 board shall dismiss the board of arbitrators and
 173 assume jurisdiction of the dispute. The board shall
 174 establish whatever procedures are deemed necessary
 175 to settle the impasse, including, but not limited
 176 to, final and binding arbitration.

177 Sec. STRIKES. It shall be unlawful for any
 178 public employee or any employee organization
 179 representing any public employees to induce, instigate,
 180 ratify, or participate in a strike against a public
 181 employer. For purposes of this section and section
 182 twenty-two (22) of this Act "strike" shall include
 183 any stoppage of work or any concerted refusal to
 184 render service or perform duties:

185 1. As required by an existing collective bargaining
 186 agreement, or

187 2. An act coercing a public employer to enter
 188 into a collective bargaining agreement.

189 17. Page 16, by striking lines 1 through 35,
 190 inclusive.

191 18. Page 17, by striking lines 1 through 11,
 192 inclusive.

193 19. Page 18, by striking lines 31 through 35,
 194 inclusive.

195 20. Page 19, by striking lines 1 through 5,
 196 inclusive.

197 21. By renumbering sections and internal references
 198 as necessary in accordance with this amendment.

PELTON of Clinton

1 Amend the Senate amendment to House File 1279
 2 as follows:

3 1. By striking from line 11 the following:
 4 " , or such portions".

5 2. By striking from line 13 the following:
 6 "as the executive council may determine upon,".

WINKELMAN of Calhoun

1 Amend the Senate amendment to House File 1279
 2 by striking from lines 3 and 4 the words "the
 3 general fund of the state of Iowa", and inserting
 4 in lieu thereof the words "any funds available under
 5 section twenty-one point seven (21.7), of the Code".

WELDEN of Hardin
 VARLEY of Adair

1 Amend Senate File 1158 as follows:

- 2 1. Page 5, by adding before line 9 the following
 3 new section:
 4 Sec. 5. Section four hundred fifty-five C point
 5 four (455C.4), subsection two (2); Code 1971, is
 6 amended to read as follows:
 7 2. An agreement by the commission to pay to the
 8 municipality, during the progress of construction
 9 or following completion of the construction as may
 10 be agreed upon by the parties, an amount equal to
 11 [one-half of that portion of the actual cost of the
 12 project, or the reasonable cost of the project as
 13 determined by the commission, whichever is less, that
 14 is not paid by the federal government but not less
 15 than twenty-five percent of the cost as determined]
 16 *that portion of the reasonable cost of the project*
 17 *which the state must agree to pay in order to obtain*
 18 *maximum federal pollution abatement assistance.*
 19 2. By renumbering the remaining section.
 20 3. Page 1, amend the title by striking all after
 21 the word "Act" on line 1, and inserting in lieu thereof
 22 the words "relating to certain municipalities'
 23 pollution control facilities and sewage construction
 24 projects."

WELDEN of Hardin

1 Amend Senate File 1203, page 2, by inserting after
 2 the period in line 9, the following:

- 3 "This facility shall not be located within the
 4 control zone of any airport that has more than
 5 42,000 landings and 42,000 take-offs per year."

UBAN of Black Hawk
 SARGISSON of Woodbury
 RADL of Linn
 KINLEY of Polk
 DOYLE of Woodbury

1 Amend Senate File 1214 as amended and passed
 2 by the Senate as follows:

- 3 1. Page 5, line 2, by striking all after the
 4 word "unit" and inserting in lieu thereof the
 5 following: ". *Personnel providing auxiliary*
 6 *services, including teachers, teachers' aides and*
 7 *associates, nurses, instructors, technicians,*
 8 *psychologists, librarians, clerks or any other*
 9 *persons shall be employed as needed by the local*
 10 *school district, county school system, joint county*
 11 *system, or equivalent intermediate unit and remain*
 12 *under the supervision of the superintendent of the*
 13 *district or system by whom employed.*

ALT of Polk

On motion by Varley of Adair, the House adjourned until
 9:00 a.m., Wednesday, March 22, 1972.

JOURNAL OF THE HOUSE

Seventy-third Calendar Day—Fifty-third Session Day

HALL OF THE HOUSE OF REPRESENTATIVES
DES MOINES, IOWA, WEDNESDAY, MARCH 22, 1972

The House met pursuant to adjournment, Speaker Harbor in the chair.

Prayer was offered by the Reverend Robert G. Clay, pastor of the St. Johns African Methodist Episcopal Church, Burlington, Iowa.

The Journal of Tuesday, March 21, 1972, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. William Bennett, Marion, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Bennett of Polk on request of Ewell of Black Hawk; Freeman of Buena Vista on request of the Speaker; Camp of Clinton on request of the Speaker.

PRESENTATION OF PELLA TULIP QUEEN AND HER ATTENDANTS

Dougherty of Monroe presented to the House Miss Emily Vander Ploeg, Pella, Iowa, Queen of the Pella Tulip Festival. The Queen introduced the members of her court, Cynthia Butler, Carol Kooi, Ann Renskers and Gail Vander Ploeg.

Miss Vander Ploeg extended to the House an invitation to attend the Pella Tulip Festival, May 11, 12 and 13, 1972. The girls, all in Dutch costume, distributed the famous Pella cookies to those present.

PRESENTATION OF VISITORS

Welden of Hardin presented to the House Peter Snell, an AFS exchange student from Johannesburg, South Africa, and his American parents, Mr. and Mrs. Dave Welden.

The Speaker announced that the following students were

present in the House chamber:

Thirty-two fifth grade students from Nevada Community School, Nevada, Iowa, accompanied by Mrs. Cody. By Larson of Story.

Forty-seven eighth grade students from St. Joseph's School, Mason City, Iowa, including two foreign students—Marta from South America and Sonia from Brazil—accompanied by Mrs. Paxton, Mrs. Berkland, Mr. Green and Mr. Rothamel. By Lawson of Cerro Gordo and Scott of Cerro Gordo.

Thirty-six 4-H students from Jackson County, accompanied by Mrs. Francis Mootz, Mrs. William Dunn and Mrs. Banks Doggett. By Norpel of Jackson.

SENATE MESSAGES CONSIDERED

Senate File 1034, a bill for an act relating to facilities required of class "B" beer permit holders.

Read first time and referred to the **sifting committee**.

Senate File 1056, a bill for an act relating to legal holidays for state employees.

Read first time and referred to the **sifting committee**.

Senate File 1059, a bill for an act relating to the authority of merged areas to borrow money in anticipation of the collection of a voted tax for school facilities.

Read first time and referred to the **sifting committee**.

Senate File 1217, a bill for an act to permit a school corporation to transfer moneys from the general fund to the schoolhouse fund, if the transfer is approved by the voters.

Read first time and referred to the **sifting committee**.

HOUSE RESOLUTION 101

By Varley and Cochran

Whereas, the Chief Clerk of the House has responsibilities and duties to perform during the interim between the sessions of the General Assembly; and

Whereas, during the interim between the sessions of the General Assembly the Chief Clerk of the House has expenses in connection with his interim duties; *Now, Therefore*,

Be It Resolved by the House: That the Speaker of the House is hereby authorized to approve such expenses and authorize payment of compensation for as many days each month as determined by him for the Chief Clerk

of the House and his necessary staff, at the same rate of pay as was fixed during the regular session of the Sixty-fourth General Assembly. The state comptroller is hereby authorized and directed to issue warrants in payment of same upon requisition signed by the Speaker of the House as provided for in sections two point eleven (2.11), two point twelve (2.12), and two point thirteen (2.13), Code 1971, and any amendments passed by the Sixty-fourth General Assembly.

Laid over under Rule 25.

HOUSE CONCURRENT RESOLUTION 141

By Ellsworth, Hansen and Kelly

Whereas, it appears that the laws of Iowa relating to consumer credit charges are presently the subject of litigation the outcome of which will have far-reaching effects on the economy of the State of Iowa, and

Whereas, the determination which has been made by the district court of Iowa, if sustained by the supreme court, will allow a merchant to charge unlimited interest rates under the time-price doctrine, and

Whereas, legislation has been proposed to establish statutory interest limits for consumer credit charges, which, if established at levels inadequate to sustain consumer credit operations, will have the effect of limiting the availability of credit to large numbers of Iowa's citizens, and

Whereas, inappropriate legislation in the area of consumer credit charges will tend to inhibit the sales economy of the state, or to create excessive burdens for many citizens, especially low-income citizens of the state; *Now, Therefore,*

Be It Resolved by the House, the Senate Concurring, That the legislative council establish a study committee for the purpose of studying legislative regulation of consumer credit charges in Iowa; and

Be It Further Resolved, That the study committee shall consist of legislators from appropriate standing committees, representing both the Senate and the House of Representatives, and representing both political parties, as well as knowledgeable citizens if deemed appropriate; and

Be It Further Resolved, That the study committee make periodic reports to the legislative council and submit a final report, including necessary bill drafts to implement its recommendations to the legislative council. Copies of the report approved by the legislative council shall be submitted to the First Session of the Sixty-fifth General Assembly meeting in 1973.

Laid over under Rule 25.

OBJECTION TO SENATE FILE 323 ON NONCONTROVERSIAL CALENDAR

We, the following members, request that Senate File 323 be removed from the noncontroversial calendar.

RADL of Linn
WYCKOFF of Benton
HUSAK of Tama
CHRISTENSEN of Union
TIEDEN of Clayton

ADOPTION OF SENATE CONCURRENT RESOLUTION 123

Larson of Story called up for consideration **Senate Concurrent Resolution 123**, filed on March 14, 1972, and found on pages 1100 and 1101 of the House Journal, and moved its adoption.

The motion prevailed and the resolution was adopted.

CONSIDERATION OF BILLS

SIFTING COMMITTEE CALENDAR

Senate File 1158, a bill for an act authorizing cities and towns to acquire, improve, equip and lease pollution control facilities, and issue bonds in connection therewith, with report of committee recommending passage, was taken up for consideration.

Schroeder of Pottawattamie offered the following amendment filed by him and Camp of Clinton and moved its adoption:

Amend Senate File 1158, as passed by the Senate, on page 5, by inserting after line 8 the following new paragraph:

"The payment, collection, and apportionment of the tax equivalent shall be subject to the provisions of chapters 445, 446, and 447 of the Code."

The amendment was adopted.

Welden of Hardin offered the following amendment filed by him and moved its adoption:

Amend Senate File 1158 as follows:

1. Page 5, by adding before line 9 the following new section:

Sec. 5. Section four hundred fifty-five C point four (455C.4), subsection two (2), Code 1971, is amended to read as follows:

2. An agreement by the commission to pay to the municipality, during the progress of construction or following completion of the construction as may be agreed upon by the parties, an amount equal to [one-half of that portion of the actual cost of the project, or the reasonable cost of the project as determined by the commission, whichever is less, that is not paid by the federal government but not less than twenty-five percent of the cost as determined] *that portion of the reasonable cost of the project which the state must agree to pay in order to obtain maximum federal pollution abatement assistance.*

2. By renumbering the remaining section.

3. Page 1, amend the title by striking all after the word "Act" on line 1, and inserting in lieu thereof the words "relating to certain municipalities' pollution control facilities and sewage construction projects."

The amendment was adopted.

Lawson of Cerro Gordo moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 1158)

The ayes were, 85:

Alt	Grassley	Middleswart	Shaw
Anania	Hamilton	Miller	Siglin
Andersen	Hansen	Moffitt	Sorg
Bergman	Hill	Mollett	Stanley
Blouin	Holden	Nielsen	Stokes
Campbell	Kehe	Norpel	Strand
Christensen	Kelly	Nystrom	Stromer
Clark	Kennedy	Patton	Strothman
Cochran	Kinley	Pellett	Taylor
Curtis	Knoblauch	Pelton	Tieden
Den Herder	Knoke	Pierson	Trowbridge
Dougherty	Kreamer	Priebe	Uban
Doyle	Kruse	Rex	Varley
Drake	Larson	Rodgers	Waugh
Dunton	Lawson	Roorda	Welden
Edelen	Logemann	Sargisson	Wells
Egenes	Mayberry	Schmeiser	Willits
Ellsworth	McCormick	Schroeder	Winkelman
Ewell	McElroy	Schwartz	Wirtz
Fisher, C. R.	Mendenhall	Schwieger	Wyckoff
Franklin	Menefee	Scott	Mr. Speaker
Gluba			

The nays were, 1:

Bray

Absent or not voting, 14:

Bennett	Goode	Lipsky	Radl
Camp	Husak	Millen	Skinner
Fischer, H. O.	Jesse	Monroe	Small
Freeman	Johnston		

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

HOUSE FILE 1239 WITHDRAWN

Lawson of Cerro Gordo asked and received unanimous consent to withdraw **House File 1239** from further consideration by the House.

Senate File 1169, a bill for an act relating to references to the Internal Revenue Code in the computation of individual and corporate income tax and franchise tax, with report of committee recommending passage, was taken up for consideration.

Uban of Black Hawk asked and received unanimous consent to withdraw the amendment filed by him on March 10, 1972, and found on page 1070 of the House Journal.

Curtis of Cherokee moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 1169)

The ayes were, 88:

Alt	Gluba	Menefee	Scott
Anania	Grassley	Middleswart	Siglin
Andersen	Hamilton	Miller	Small
Bergman	Hansen	Moffitt	Sorg
Blouin	Hill	Mollett	Stanley
Bray	Holden	Monroe	Stokes
Campbell	Husak	Nielsen	Strand
Christensen	Kehe	Norpel	Stromer
Clark	Kelly	Nystrom	Strothman
Cochran	Kennedy	Patton	Taylor
Curtis	Kinley	Pellett	Tieden
Den Herder	Knoke	Pelton	Trowbridge
Dougherty	Kreamer	Pierson	Uban
Doyle	Kruse	Priebe	Varley
Drake	Larson	Rex	Waugh
Dunton	Lawson	Rodgers	Welden
Edelen	Lipsky	Roorda	Wells
Egenes	Logemann	Sargisson	Willits
Ellsworth	Mayberry	Schmeiser	Winkelman
Ewell	McCormick	Schroeder	Wirtz
Fisher, C. R.	McElroy	Schwartz	Wyckoff
Franklin	Mendenhall	Schwieger	Mr. Speaker

The nays were, none.

Absent or not voting, 12:

Bennett	Freeman	Johnston	Radl
Camp	Goode	Knoblauch	Shaw
Fischer, H. O.	Jesse	Millen	Skinner

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

Strothman of Henry asked and received unanimous consent to take up for immediate consideration **Senate File 1200**, a bill for an act relating to control of swine brucellosis.

Strothman of Henry moved that the bill be read a last time now and placed upon its passage which motion prevailed, and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 1200)

The ayes were, 84:

Alt	Gluba	Menefee	Shaw
Anania	Grassley	Middleswart	Siglin
Andersen	Hamilton	Miller	Small
Bergman	Hansen	Moffitt	Sorg
Blouin	Hill	Mollett	Stanley
Bray	Holden	Nielsen	Stokes
Campbell	Husak	Norpel	Strand
Christensen	Kehe	Nystrom	Stromer
Clark	Kelly	Patton	Strothman
Cochran	Kennedy	Pellett	Taylor
Curtis	Kinley	Pierson	Tieden
Den Herder	Knoblauch	Priebe	Trowbridge
Dougherty	Knoke	Rex	Varley
Doyle	Kreamer	Rodgers	Waugh
Drake	Kruse	Roorda	Welden
Dunton	Larson	Sargisson	Wells
Edelen	Lawson	Schmeiser	Willits
Egenes	Lipsky	Schroeder	Winkelman
Ewell	Logemann	Schwartz	Wirtz
Fisher, C. R.	McCormick	Schwieger	Wyckoff
Franklin	McElroy	Scott	Mr. Speaker

The nays were, none.

Absent or not voting, 16:

Bennett	Freeman	Mayberry	Pelton
Camp	Goode	Mendenhall	Radl
Ellsworth	Jesse	Millen	Skinner
Fischer, H. O.	Johnston	Monroe	Uban

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

HOUSE FILE 1270 WITHDRAWN

Kruse of O'Brien asked and received unanimous consent to withdraw House File 1270 from further consideration by the House.

MOTION TO RECONSIDER WITHDRAWN (House File 1295)

Den Herder of Sioux asked and received unanimous consent to withdraw his motion to reconsider House File 1295 filed on March 20, 1972.

Kreamer of Polk in the chair at 9:55 a.m.

SIFTING COMMITTEE CALENDAR

Holden of Scott asked and received unanimous consent to take up for immediate consideration **Senate File 1190**, a bill for an act relating to the regulation of county homes.

Holden of Scott offered the following amendment filed by him and moved its adoption:

Amend Senate File 1190 as amended, passed, and reprinted by the Senate as follows:

1. Page 2A by striking lines 4 and 5 and inserting in lieu thereof the following: "county home liaison board which shall serve in an advisory capacity to the state department of health. The department shall adopt distinct rules and".

2. Page 2A by striking the word "state" from lines 9, 12 and 33.

3. Page 2A by striking lines 30 and 31 and inserting in lieu thereof a period.

4. Page 2B, line 37, by inserting after the word "met" the words "by the county home to be licensed or which is retaining a license".

5. Page 3A, line 16, by striking the word "state".

A non-record roll call was requested.

The ayes were 71, nays 9.

The amendment was adopted.

By unanimous consent the following amendments were withdrawn: the Lipsky-Blouin amendment and the Gluba-Roord-Small amendment filed on March 17, 1972, and found on page 1278 of the House Journal.

Gluba of Scott offered the following amendment from the floor and moved its adoption:

Amend Senate File 1190, as amended and passed by the Senate and reprinted, page 2A, by inserting after line 8 the following: "These rules shall not be less stringent than those applicable to private custodial homes."

Roll call was requested by Monroe of Des Moines and Small of Johnson.

On the question "Shall the amendment be adopted?"

The ayes were, 24:

Anania	Gluba	Larson	Skinner
Andersen	Jesse	Mayberry	Small
Bray	Johnston	Monroe	Uban
Doyle	Kelly	Priebe	Welden
Ewell	Kennedy	Rodgers	Willits
Franklin	Kinley	Scott	Wirtz

The nays were, 52:

Bergman	Drake	Hill	Kruse
Campbell	Edelen	Holden	Lawson
Christensen	Egenes	Husak	McCormick
Clark	Grassley	Kehe	McElroy
Curtis	Hamilton	Knoblauch	Mendenhall
Dougherty	Hansen	Knoke	Menefee

Moffitt	Rex	Sorg	Varley
Mollett	Sargisson	Stanley	Waugh
Nielsen	Schmeiser	Stokes	Wells
Norpel	Schroeder	Strand	Winkelman
Nystrom	Schwieger	Taylor	Wyckoff
Patton	Shaw	Tieden	Mr. Speaker
Pellett	Siglin	Trowbridge	(Kreamer)
Pierson			

Absent or not voting, 24:

Alt	Dunton	Harbor	Pelton
Bennett	Ellsworth	Lipsky	Radl
Blouin	Fischer, H. O.	Logemann	Roorda
Camp	Fisher, C. R.	Middleswart	Schwartz
Cochran	Freeman	Millen	Stromer
Den Herder	Goode	Miller	Strothman

The amendment lost.

Mayberry of Webster offered the following amendment filed by him and Lipsky of Linn and moved its adoption:

Amend Senate File 1190, as amended and passed by the Senate and reprinted, page 3A, by adding after line 30 the following new sections:

"Sec..... Section two hundred fifty-three point nine (253.9), Code 1971, as amended by striking the section and inserting in lieu thereof the following:

253.9 COUNTY HOME ADVISORY BOARD. In each county in which a county home is established and operated under this chapter, there shall be a county home advisory board. The board shall be composed of four members, as follows:

1. A member appointed by the board of supervisors to represent the medical profession in the county.
2. A member appointed by the board of supervisors to represent agencies, groups, or associations in the county interested either professionally or otherwise in mental health and the delivery of mental health services to persons in the county. For the purposes of this subsection the term 'mental health' shall include efforts to combat mental retardation.
3. The county director of social services, or his designee.
4. A member representing the district office of the rehabilitation education services branch of the department of public instruction designated to serve the county.

The members appointed by the board of supervisors shall receive twenty-five dollars per diem for each day actually devoted to the duties of their office, and shall serve for terms of two years beginning July 1, of the year in which they are appointed, except that in making the first appointments under this section the board of supervisors shall designate one

appointee to serve a term of one year.

Sec. Section two hundred fifty-three point eight (253.8), Code 1971, as amended as follows:

253.8 VISITATION AND INSPECTION. The [board shall cause the] county home [to] *shall* be visited at least once every six months by [one of its body] *the county home advisory board*, [who] *which shall carefully* examine the condition of the [inmates] *residents* and the manner in which they are fed and clothed and otherwise provided for and treated, ascertain what labor they are required to perform *and whether recreational and rehabilitative programs suited to their needs are available*, [inspect the books and accounts of the steward] *determine whether the applicable requirements of chapter 135C of the Code are being met*, and look into all matters pertaining to the county home and its [inmates] *residents*, and report to the board of supervisors."

A non-record roll call was requested.

The ayes were 28, nays 53.

The amendment lost.

Holden of Scott moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 1190)

The ayes were, 71:

Alt	Harbor	Mollett	Small
Bergman	Hill	Nielsen	Sorg
Blouin	Holden	Norpel	Stanley
Campbell	Husak	Nystrom	Stokes
Christensen	Kehe	Patton	Strand
Cochran	Knoblauch	Pellett	Stromer
Curtis	Knoke	Pelton	Strothman
Den Herder	Kruse	Pierson	Taylor
Dougherty	Lawson	Priebe	Tieden
Drake	Lipsky	Radl	Trowbridge
Dunton	McCormick	Rex	Varley
Edelen	McElroy	Roorda	Waugh
Egenes	Mendenhall	Schmeiser	Wells
Ellsworth	Menefee	Schroeder	Winkelman
Fisher, C. R.	Middleswart	Schwieger	Wirtz
Grassley	Millen	Scott	Wyckoff
Hamilton	Miller	Shaw	Mr. Speaker
Hansen	Moffitt	Siglin	(Kreamer)

The nays were, 22:

Anania	Fischer, H. O.	Kinley	Sargisson
Andersen	Franklin	Larson	Skinner
Bray	Gluba	Mayberry	Uban
Clark	Jesse	Monroe	Welden
Doyle	Johnston	Rodgers	Willits
Ewell	Kelly		

Absent or not voting, 7:

Bennett	Freeman	Kennedy	Schwartz
Camp	Goode	Logemann	

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

FURTHER CONSIDERATION OF SENATE AMENDMENT
(House File 1156)

The House resumed consideration of the Senate amendment to **House File 1156**, a bill for an act creating an Iowa world exposition authority and specifying its purposes, powers and responsibilities.

Stanley of Linn moved that the bill be read a last time now and placed upon its repassage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1156)

The ayes were, 57:

Alt	Hamilton	Miller	Schwartz
Andersen	Hansen	Moffitt	Scott
Bergman	Harbor	Mollett	Siglin
Campbell	Hill	Norpel	Stanley
Clark	Knoblauch	Nystrom	Stokes
Den Herder	Knoke	Pellett	Strand
Dougherty	Kruse	Pelton	Stromer
Doyle	Lawson	Pierson	Strothman
Drake	Logemann	Priebe	Tieden
Dunton	Mayberry	Rodgers	Trowbridge
Edelen	McElroy	Roorda	Varley
Egenes	Mendenhall	Sargisson	Winkelman
Ellsworth	Menefee	Schmeiser	Mr. Speaker
Gluba	Middleswart	Schroeder	(Kreamer)
Grassley	Millen		

The nays were, 34:

Anania	Holden	McCormick	Skinner
Blouin	Husak	Monroe	Small
Bray	Jesse	Nielsen	Uban
Cochran	Johnston	Patton	Welden
Curtis	Kehe	Radl	Wells
Ewell	Kennedy	Rex	Willits
Fischer, H. O.	Kinley	Schwieger	Wirtz
Fisher, C. R.	Larson	Shaw	Wyckoff
Franklin	Lipsky		

Absent or not voting, 9:

Bennett	Freeman	Kelly	Taylor
Camp	Goode	Sorg	Waugh
Christensen			

The bill having received a constitutional majority was declared to have repassed the House and the title was agreed to.

The House was recessed until 1:30 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Harbor in the chair.

SENATE AMENDMENT CONSIDERED

Tieden of Clayton called up for consideration **House File 1247**, a bill for an act making appropriations to the educational radio and television facility board for the purpose of making capital improvements, amended by the Senate as follows:

Amend House File 1247, as amended and passed by the House as follows:

1. Page 2, by adding the following new subsection after line 19.
"4. For the fiscal year beginning July 1, 1972 and ending June 30, 1973 the sum of ten thousand (10,000) dollars, or so much thereof as is necessary, to be used as program acquisition costs to aid in defraying costs of making available programs having educational value to young children to commercial television stations which will carry such programs and which provide television coverage within areas of the state which do not receive coverage from the Iowa educational broadcasting network."
2. Page 2, line 32, by striking the words and figures "four hundred thousand (400,000)" and inserting in lieu thereof the words and figures "three hundred eighty-seven thousand five hundred (387,500)".
3. Page 2, line 33, by inserting after the word "area" the following: "except that a special appropriation of twenty-five thousand (25,000) dollars is made to the Mason City area for a translator facility".

By unanimous consent the Tieden, et al., amendment and the Lawson, et al., amendment filed on March 14, 1972, and found on pages 1117 and 1118 of the House Journal were withdrawn.

Tieden of Clayton moved that the House concur in the Senate amendment.

The motion prevailed and the House concurred in the Senate amendment.

Tieden of Clayton moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its repassage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1247)

The ayes were, 85:

Alt	Hamilton	Mendenhall	Scott
Anania	Hansen	Menefee	Shaw
Andersen	Hill	Middleswart	Siglin
Bergman	Husak	Miller	Small
Blouin	Jesse	Moffitt	Stanley
Bray	Johnston	Monroe	Stokes
Christensen	Kehe	Nielsen	Strand
Clark	Kelly	Norpel	Stromer
Cochran	Kennedy	Patton	Strothman
Curtis	Kinley	Pellett	Taylor
Den Herder	Knoblauch	Pelton	Tieden
Dougherty	Knoke	Pierson	Trowbridge
Doyle	Kreamer	Priebe	Uban
Drake	Kruse	Rex	Varley
Dunton	Larson	Rodgers	Waugh
Edelen	Lawson	Roorda	Wells
Egenes	Lipsky	Sargisson	Willits
Ellsworth	Logemann	Schmeiser	Winkelman
Fisher, C. R.	Mayberry	Schroeder	Wirtz
Franklin	McCormick	Schwartz	Wyckoff
Gluba	McElroy	Schwieger	Mr. Speaker
Grassley			

The nays were, 5:

Fischer, H. O.	Radl	Sorg	Welden
Holden			

Absent or not voting, 10:

Bennett	Ewell	Millen	Nystrom
Camp	Freeman	Mollett	Skinner
Campbell	Goode		

The bill having received a constitutional majority was declared to have repassed the House and the title was agreed to.

Kreamer of Polk in the chair at 2:17 p.m.

Lawson of Cerro Gordo called up for consideration **House File 1279**, a bill for an act authorizing exercise of a purchase-option by the executive council and appropriating funds therefor, amended by the Senate as follows:

Amend House File 1279, page 2, by striking lines 1 through 12, inclusive, and inserting in lieu thereof the following:

"Section 1. There is appropriated from the general fund of the State of Iowa to the executive council the sum of three hundred sixty thousand dollars (\$360,000), or so much thereof as may be necessary, to be used by the executive council to pay the balance due to complete the purchase on the purchase-option lease and addendum with Trailer Owners Service Corporation, currently known as the Capitol Industries, Incorporated, for the building known as the GMC building, and all, or such portions of the adjacent parking lot at East Seventh and Walnut streets in the city of Des Moines, as the executive council may determine upon, including expenses incident to fees, abstracting costs, and appraisal fees."

Welden of Hardin offered the following amendment to the Senate amendment, filed by him, and Varley of Adair and moved its adoption:

Amend the Senate amendment to House File 1279 by striking from lines 3 and 4 the words "the general fund of the state of Iowa", and inserting in lieu thereof the words "any funds available under section twenty-one point seven (21.7), of the Code."

The amendment to the Senate amendment was adopted.

Winkelman of Calhoun offered the following amendment to the Senate amendment, filed by him, and moved its adoption:

Amend the Senate amendment to House File 1279 as follows:

1. By striking from line 11 the following:
" , or such portions".
2. By striking from line 13 the following:
"as the executive council may determine upon,".

A non-record roll call was requested.

The ayes were 61, nays 19.

The amendment to the Senate amendment was adopted.

Lawson of Cerro Gordo moved that the House concur in the Senate amendment as amended.

The motion prevailed and the House concurred in the Senate amendment as amended.

Lawson of Cerro Gordo moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its repassage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1279)

The ayes were, 57:

Alt	Harbor	Middleswart	Siglin
Andersen	Hill	Millen	Stanley
Bergman	Holden	Miller	Strand
Campbell	Kehe	Moffitt	Stromer
Clark	Kelly	Norpel	Strothman
Curtis	Kinley	Nystrom	Taylor
Den Herder	Knoblauch	Pellett	Tieden
Drake	Knoke	Pelton	Trowbridge
Dunton	Kruse	Pierson	Varley
Egenes	Lawson	Roorda	Waugh
Ellsworth	Lipsky	Schroeder	Welden
Fisher, C. R.	Logemann	Schwartz	Winkelman
Grassley	McElroy	Scott	Mr. Speaker
Hamilton	Mendenhall	Shaw	(Kreamer)
Hansen	Menefee		

The nays were, 35:

Anania	Franklin	Patton	Small
Blouin	Gluba	Priebe	Sorg
Bray	Husak	Radl	Stokes
Christensen	Jesse	Rex	Uban
Cochran	Johnston	Rodgers	Wells
Dougherty	Kennedy	Sargisson	Willits
Doyle	Larson	Schmeiser	Wirtz
Edelen	McCormick	Schwieger	Wyckoff
Fischer, H. O.	Nielsen	Skinner	

Absent or not voting, 8:

Bennett	Ewell	Goode	Mollett
Camp	Freeman	Mayberry	Monroe

The bill having received a constitutional majority was declared to have repassed the House and the title was agreed to.

SUSPENSION OF HOUSE RULE 36

Varley of Adair moved that House Rule 36 be suspended for the consideration of House files now on the sifting committee noncontroversial calendar.

Roll call was requested by Kennedy of Chickasaw and Skinner of Polk.

On the question "Shall House Rule 36 be suspended?"

The ayes were, 59:

Alt	Hamilton	Millen	Sorg
Andersen	Hansen	Miller	Stanley
Bergman	Harbor	Moffitt	Stokes
Campbell	Hill	Nielsen	Strand
Christensen	Holden	Nystrom	Stromer
Clark	Kehe	Pellet	Strothman
Curtis	Kelly	Pelton	Tieden
Den Herder	Knoblauch	Pierson	Trowbridge
Dougherty	Knoke	Rex	Varley
Drake	Kruse	Rodgers	Waugh
Dunton	Lawson	Roorda	Welden
Edelen	Logemann	Sargisson	Winkelman
Egenes	McElroy	Schwieger	Wirtz
Fisher, C. R.	Mendenhall	Shaw	Mr. Speaker
Grassley	Menefee	Siglin	(Kreamer)

The nays were, 23:

Anania	Jesse	Monroe	Skinner
Blouin	Johnston	Patton	Small
Bray	Kennedy	Radl	Uban
Cochran	Kinley	Schmeiser	Willits
Gluba	Larson	Schwartz	Wyckoff
Husak	McCormick	Scott	

Absent or not voting, 18:

Bennett	Fischer, H. O.	Mayberry	Priebe
Camp	Franklin	Middleswart	Schroeder
Doyle	Freeman	Mollett	Taylor
Ellsworth	Goode	Norpel	Wells
Ewell	Lipsky		

The motion prevailed.

Speaker Harbor in the chair at 2:59 p.m.

REMOVED FROM SIFTING COMMITTEE
NONCONTROVERSIAL CALENDAR
(House File 1066)

House File 1066, a bill for an act relating to a pamphlet on the use of alcoholic liquor and beer, with report of committee recommending passage, was taken up for consideration.

Bray of Scott offered the following amendment filed by him and moved its adoption:

Amend House File 1066 by striking lines 4-11 and inserting in lieu thereof the following:

Sec. 1. The commissioner of public safety shall, with the assistance of the attorney general, prepare and distribute to all persons applying for a license or a temporary permit to operate a motor vehicle a pamphlet explaining the laws regarding the use of alcoholic liquor and beer as they affect individual persons, including but not limited to the use of alcoholic liquor and beer while operating a motor vehicle.

A non-record roll call was requested.

The ayes were 26, nays 56.

The amendment lost.

Under the provisions of the rules of the sifting committee on noncontroversial bills, House File 1066 is removed from the calendar.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has concurred in the House amendment to and passed the following bill in which the concurrence of the Senate was asked:

Senate File 1101, a bill for an act relating to the taxation of real estate transfers.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File 1136, a bill for an act relating to financial benefits for the education of children of persons missing in action in Viet Nam.

Also: That the Senate has concurred in the House amendment to and

passed the following bill in which the concurrence of the Senate was asked:

Senate File 1158, a bill for an act authorizing cities and towns to acquire, improve, equip and lease pollution control facilities.

Also: That the Senate has concurred in the House amendment to the Senate amendment and passed the following bill in which the concurrence of the Senate was asked:

House File 711, a bill for an act relating to registration and safety regulations for snowmobiles.

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

House File 1242, a bill for an act relating to commission on salaries for elective state officials.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File 1299, a bill for an act appropriating for the purpose of implementing and administering a state building code.

CARROLL A. LANE, Secretary

SENATE AMENDMENT TO HOUSE FILE 1242

- 1 Amend House File 1242, as amended and passed by the House,
- 2 page 3, line 4, by inserting after the word "officials,"
- 3 the words "constitutional judicial officers,".

SENATE MESSAGE CONSIDERED

Senate File 1136, a bill for an act providing financial benefits for the education of children of persons classified as prisoners of war or missing in action in Viet Nam.

Read first time and referred to the sifting committee.

MOTION TO WITHDRAW FROM SIFTING COMMITTEE LOST (House File 366)

Pelton of Clinton called up for consideration the Pelton, et al., motion to withdraw House File 366, a bill for an act relating to collective bargaining in public employment, and moved that House File 366 be withdrawn from the sifting committee.

CALL OF THE HOUSE

Pursuant to Rule 73, the following members respectfully request a Call of the House on House File 366.

SCHROEDER of Pottawattamie
MILLEN of Van Buren
LAWSON of Cerro Gordo
FISCHER of Grundy
KEHE of Bremer
WELDEN of Hardin

Varley of Adair moved that Mollett of Pottawattamie be excused from the Call of the House.

The motion prevailed.

Roll call revealed all other members present with the exception of Goode of Davis, Freeman of Buena Vista, Camp of Clinton and Bennett of Polk, who previously had been excused.

On the question "Shall House File 366 be withdrawn from the sifting committee?"

The ayes were, 47:

Anania	Franklin	Mayberry	Schwartz
Andersen	Gluba	McCormick	Schwieger
Blouin	Hansen	Middleswart	Scott
Bray	Hill	Monroe	Skinner
Clark	Husak	Norpel	Small
Cochran	Jesse	Nystrom	Taylor
Dougherty	Johnston	Patton	Tieden
Doyle	Kennedy	Pelton	Uban
Drake	Kinley	Priebe	Wells
Dunton	Knoblauch	Rodgers	Willits
Ellsworth	Larson	Sargisson	Wyckoff
Ewell	Lipsky	Schmeiser	

The nays were, 48:

Alt	Holden	Miller	Stanley
Bergman	Kehe	Moffitt	Stokes
Campbell	Kelly	Nielsen	Strand
Christensen	Knoke	Pellett	Stromer
Curtis	Kreamer	Pierson	Strothman
Den Herder	Kruse	Radl	Trowbridge
Edelen	Lawson	Rex	Varley
Egenes	Logemann	Roorda	Waugh
Fischer, H. O.	McElroy	Schroeder	Welden
Fisher, C. R.	Mendenhall	Shaw	Winkelman
Grassley	Menefee	Siglin	Wirtz
Hamilton	Millen	Sorg	Mr. Speaker

Absent or not voting, 5:

Bennett	Freeman	Goode	Mollett
Camp			

The motion lost.

CONSIDERATION OF BILLS SIFTING COMMITTEE CALENDAR

Millen of Van Buren asked and received unanimous consent to take up for immediate consideration Senate File 1218 and that House Rule 31 be suspended.

Senate File 1218, a bill for an act relating to occupational safety and health and providing penalties for violations, was taken up for consideration.

Kreamer of Polk in the chair at 4:24 p.m.

Millen of Van Buren offered the following amendment from the floor and moved its adoption:

- 1 Amend the title to Senate File 1218, line 1, by striking
- 2 the second word "and" and inserting in lieu thereof the
- 3 following: " , providing appropriations to carry out the
- 4 provisions of this Act, and".

The amendment was adopted.

Millen of Van Buren moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 1218)

The ayes were, 92:

Alt	Hamilton	Middleswart	Siglin
Anania	Hansen	Millen	Skinner
Andersen	Harbor	Miller	Small
Bergman	Hill	Moffitt	Sorg
Blouin	Holden	Nielsen	Stanley
Bray	Husak	Norpel	Stokes
Campbell	Jesse	Nystrom	Strand
Christensen	Johnston	Patton	Stromer
Clark	Kehe	Pellett	Strothman
Cochran	Kelly	Pelton	Taylor
Curtis	Kennedy	Pierson	Tieden
Den Herder	Kinley	Priebe	Trowbridge
Dougherty	Knoblauch	Radl	Uban
Doyle	Kruse	Rex	Varley
Drake	Larson	Rodgers	Waugh
Edelen	Lawson	Roorda	Welden
Egenes	Lipsky	Sargisson	Wells
Ellsworth	Logemann	Schmeiser	Willits
Ewell	Mayberry	Schroeder	Winkelman
Fischer, H. O.	McCormick	Schwartz	Wirtz
Fisher, C. R.	McElroy	Schwieger	Wyckoff
Franklin	Mendenhall	Scott	Mr. Speaker
Gluba	Menefee	Shaw	(Kreamer)
Grassley			

The nays were, 1:

Monroe

Absent or not voting, 7:

Bennett	Dunton	Goode	Mollett
Camp	Freeman	Knoke	

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

HOUSE FILE 1196 PENDING

Varley of Adair moved that the rules be suspended for the consideration of House File 1196.

A non-record roll call was requested.

The ayes were 59, nays 24.

The motion prevailed.

House File 1196, a bill for an act relating to the planning for and conversion of Terrace Hill for use as a governor's mansion, and making an appropriation, was taken up for consideration.

Fisher of Greene offered the amendment filed by him and Varley of Adair on March 14, 1972, and found on pages 1116 and 1117 of the House Journal.

(House File 1196 and Fisher-Varley amendment pending at adjournment.)

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has concurred in the House amendment to and passed the following bill in which the concurrence of the Senate was asked:

Senate File 1190, a bill for an act relating to the regulation of county homes.

Also: That the Senate has concurred in the House amendment to and passed the following bill in which the concurrence of the Senate was asked:

Senate File 1218, a bill for an act relating to occupational safety and health.

Also: That the Senate has refused to concur in the House amendment to the Senate amendment to the following bill in which the concurrence of the Senate was asked:

House File 1279, a bill for an act authorizing exercise of a purchase-option by the executive council.

CARROLL A. LANE, Secretary

REPORT OF THE CONFERENCE COMMITTEE ON HOUSE FILE 69

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to consider the difference between the Senate and the House of Representatives on House File 69, a bill for an act relating to errors and omissions insurance for county officers and employees, respectfully submit the following recommendations:

1. That the House of Representatives recede from its amendment to the Senate amendment.
2. That the Senate recede from its amendment to House File 69 as passed by the House of Representatives.
3. That House File 69, as passed by the House of Representatives, be amended by striking everything after the enacting clause and inserting in lieu thereof the following:

Section 1. There is created in the office of the treasurer of state a fund to be known as "the county indemnification fund" to be used to indemnify and pay on behalf of any county treasurer, recorder, auditor, attorney, clerk of court, sheriff, and engineer on matters relating to road and bridge design only, and any deputies, assistants or employees in such offices, all sums that such officers, deputies, assistants or employees are legally obligated to pay because of their negligent acts, errors or omissions in the performance of their official duties, except that the first five hundred dollars of each such claim shall not be paid from this fund.

Sec. 2. The establishment of the fund provided by this Act shall not relieve any insurer issuing insurance under the provisions of section six hundred thirteen A point seven (613A.7) of the Code from paying any loss incurred thereunder; nor shall any such insurer be subrogated to any of the assets of the fund established by this Act regardless of any provisions in such policy of insurance.

Sec. 3. The board of supervisors of each county shall levy in 1972 and annually thereafter for three consecutive years a tax of two-hundredths of a mill against the assessed value of the taxable property of the county, to be collected at the same time and in the same manner as other property taxes and the proceeds of the levy shall be deposited in the county indemnification fund.

Thereafter, if the balance in the fund on March 30 of any year is less than three hundred thousand dollars, the treasurer of state shall notify the board of supervisors of each county to again levy for that year a two-hundredths mill levy to be collected with other taxes in the next calendar year.

Sec. 4. Not later than the fifteenth of June or the fifteenth day of December of each year in which the tax is collected, the county auditor shall transmit the amount of the tax levied and collected, by warrant, to the treasurer of state who shall credit it to the county indemnification fund. The treasurer of state shall invest any moneys in the fund in the same manner as other public funds and shall credit any interest received from that investment to the county indemnification fund.

Sec. 5. Any claim for any negligent act, error, or omission of a county treasurer, recorder, auditor, attorney, clerk of court, sheriff, engineer on matters relating to bridge or road design only, or any deputy, assistant or employee in such offices relating to such matters, committed after July 1, 1973, shall be processed and paid from such fund in accordance with the provisions of chapter twenty-five A (25A)

of the Code, except that any payment of a claim, except a final judgment, in excess of fifteen hundred dollars shall have the unanimous approval of all members of the state appeal board, the attorney general, and the district court of Polk county.

Sec. 6. If a final judgment is obtained against the county treasurer, recorder, auditor, attorney, clerk of court, sheriff, or engineer in matters relating to bridge or road design only, or any deputies, assistants, or employees in such offices indemnified by such fund for an act committed subsequent to July 1, 1973, which is payable from the county indemnification fund, the county attorney shall ascertain if any insurance policy exists indemnifying such persons against such judgment or any part thereof. If no insurance exists, or if the judgment exceeds the limits of such insurance the county attorney shall submit a claim to the state comptroller against the county indemnification fund on behalf of the plaintiff to the action for the amount of the judgment exceeding the amount recoverable by reason of such insurance. The state comptroller shall promptly issue a warrant payable to the plaintiff for such amount, and the treasurer of state shall pay the warrant. Such payment shall forever discharge such persons from any and all liability therefor.

Sec. 7. The board of supervisors may purchase insurance insuring any other county officers and their employees in the performance of their official duties not specified in section one (1) of this Act, against personal liability as a result of negligent acts, errors or omissions. The premiums for the insurance shall be paid from the general fund of the county. If the liability of any county officer or his employees in the performance of their official duties, not specified in section one (1) of this Act, is not fully indemnified by insurance, the board of supervisors shall pay any such loss, for which the county officer or his employees shall be found liable, from the general fund of the county. Any county board of supervisors may compromise and settle any such claim.

Sec. 8. The board of supervisors may purchase an individual or a blanket surety bond insuring the fidelity of county officers and county employees who are accountable for county funds or property subject to the minimum surety bond requirements of chapter sixty-four (64) of the Code. The board of supervisors may also purchase an individual or a blanket general liability insurance policy insuring county officers or county employees from liability for any negligent act, error or omission in the performance of their official duties.

Any elected county officer shall be deemed to have furnished surety if he is covered by a blanket bond purchased as provided in this section.

Sec. 9. Section sixty-four point eight (64.8), Code 1971, is amended to read as follows:

64.8 COUNTY OFFICERS. The bonds of the following county officers, viz.: Clerks of the district courts, county attorneys, recorders, auditors, superintendents of schools, sheriffs, justices of the peace, and constables, and assessors shall each be in a penal sum [to be fixed by the board of supervisors] *of not less than ten thousand dollars each per annum.*

Sec. 10. Section sixty-four point nine (64.9), Code 1971, is amended to read as follows:

64.9 MINIMUM BONDS OF COUNTY OFFICERS. Bonds of members of the board of supervisors, clerks of the district courts, county auditors, sheriffs, and county attorneys shall not be in less sum than [five] *ten thousand dollars each, and those of justices and constables, not less than five hundred dollars each.*

Sec. 11. Section sixty-four point ten (64.10), Code 1971, is amended to read as follows:

64.10 BOND OF COUNTY TREASURER. The bond of the county treasurer shall be in the sum of [ten] *twenty-five thousand dollars per annum.*

Sec. 12. Effective July 1, 1973, section three hundred thirty-two point thirty-five (332.35), Code 1971, is repealed.

On the part of the Senate:

JOHN L. MOWRY, Chairman
JAMES E. BRILES
LUCAS J. DeKOSTER
LEE H. GAUDINEER, JR.

On the part of the House:

LAVERNE W. SCHROEDER, Chairman
WILLARD HANSEN
JAMES H. SCHWARTZ

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Miller of Marshall, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate Files 470 and 1182.

ELIZABETH R. MILLER
Chairman, House Committee
JOHN C. RHODES
Chairman, Senate Committee

Report adopted.

BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House the following bills: Senate Files 470 and 1182.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 22, 1972, he approved and transmitted to the Secretary of State the following bills:

Senate File 431, an act relating to hunting restrictions.

Senate File 1148, an act relating to the civil rights of physically and mentally handicapped persons.

Senate File 1213, an act relating to the appropriation of the office of the Geological Survey.

AMENDMENTS FILED

- 1 Amend Senate File 1194, as passed by the Senate,
 2 as follows:
 3 1. Page 7, by inserting after line 27, the
 4 following new sections:
 5 Sec. Section four hundred fifty point seven
 6 (450.7), Code 1971, as amended by chapter two hundred
 7 eighteen (218), section one (1), Acts of the Sixty-
 8 fourth General Assembly, First Session, is amended
 9 by amending subsection three (3) and by adding
 10 subsection four (4), to read as follows:
 11 450.7 LIEN OF TAX.
 12 3. The sale, exchange, mortgage, or pledge of
 13 property by the personal representative pursuant
 14 to a testamentary direction or power, *the powers*
 15 *provided under the Iowa Probate Code*, or under order
 16 of court, divests the property from the lien of the
 17 tax. The proceeds from such a sale, exchange,
 18 mortgage, or pledge shall be held by the personal
 19 representative subject to the same priorities for
 20 the payment of the tax as existed with respect to
 21 the property before the transaction, and the personal
 22 representative is personally liable for payment of
 23 the tax to the extent of the proceeds. [Whenever
 24 there is a change in the status, type, or nature
 25 of the assets reported in the preliminary inventory,
 26 the change shall be reported on or before the filing
 27 of the final report when required by the department
 28 of revenue.]
 29 4. *The lien of the tax against real property*
 30 *may be foreclosed by the department of revenue in*
 31 *the same manner as provided for foreclosure of real*
 32 *estate mortgages. The lien of the tax against*
 33 *personal property may be collected in the same manner*
 34 *as provided for enforcement of a security interest*
 35 *by the Uniform Commercial Code.*
 36 Sec. Section four hundred fifty point twelve
 37 (450.12), Code 1971, unnumbered paragraph one (1)
 38 and subsection one (1), are amended to read as
 39 follows:
 40 450.12 DEDUCTION OF DEBTS. There shall be
 41 deducted from the gross value of the estate as [fixed

42 by the inheritance tax appraisers appointed under
 43 the provisions of this chapter, or as fixed by the
 44 court,] the debts defined as follows:

45 1. For the estate of such decedent who at the
 46 time of his death was domiciled within this state,
 47 there shall be deducted the debts owing by the
 48 decedent at the time of his death, the local and
 49 state taxes due from the estate in January of the
 50 year of his death, and federal taxes owing by the
 51 decedent or paid from the estate on Iowa property,
 52 a reasonable sum for funeral expenses, temporary
 53 allowance for the [widow and children under fifteen
 54 years of age] *spouse, minor children and dependents*
 55 as granted by the probate court or judge thereof,
 56 court costs, the costs of appraisal made for the
 57 purpose of assessing the inheritance tax, the fee
 58 of executors, administrators, or trustees as allowed
 59 by order of court the amount paid by the executor
 60 or administrator for a bond, the attorney fee in
 61 a reasonable amount to be approved by the court for
 62 the probate proceedings in said estate, and no other
 63 sum; provided, however, that the debt of such decedent
 64 owing for or secured by property outside of this
 65 state, shall not be deducted before estimating the
 66 tax, except when the property for which the debt
 67 is owing or by which it is secured is subject to
 68 the tax imposed by this chapter, or when the foreign
 69 debt exceeds the value of the property securing it
 70 or for which it was contracted, when the excess may
 71 be deducted, provided that satisfactory proof of
 72 the value of the foreign property and the amount
 73 of such debt is furnished to the director of revenue.

74 Said debts shall not be deducted unless the same
 75 are approved and allowed by the court within eighteen
 76 months from the death of the decedent, unless
 77 otherwise ordered by the judge or court of the proper
 78 county.

79 Sec. Section four hundred fifty point
 80 thirteen (450.13), Code 1971, is amended by striking
 81 the section and inserting in lieu thereof the
 82 following:

83 450.13 INHERITANCE TAX AND LIEN BOOK. The clerk
 84 of the district court in and for each county shall
 85 provide and keep a suitable book to be known as the
 86 inheritance tax and lien book so as to show:

- 87 1. A complete copy of the inventory and any
- 88 amendments thereto:
- 89 2. A complete copy of the appraisal, if any;
- 90 3. A record of waiver, release, or payment of
- 91 the tax, the date and amount.

92 Sec. Section four hundred fifty point fifteen
 93 (450.15), Code 1971, is amended to read as follows:

94 450.15 EXAMINATION BY COURT—COPY FOR DEPART-
 95 OF REVENUE. Upon the filing of such report the
 96

96 [district court shall examine the same together with
97 the papers and files in the case, and if it finds
98 that such estate, in whole or in part, is subject
99 to an inheritance tax it shall endorse its finding
100 thereon, and] *clerk* shall immediately forward a true
101 copy of such report [and findings] *and supplements*
102 *thereto* to the department of revenue *with the clerks*
103 *identification thereon.*

104 Sec. Section four hundred fifty point
105 nineteen (450.19), subsection five (5), Code 1971,
106 is amended to read as follows:

107 5. The [appraised] value of the property, or the
108 value of any taxable [pecuniary] legacy.

109 Sec. Section four hundred fifty point
110 nineteen (450.19), Code 1971, is amended by striking
111 subsection eight (8).

112 Sec. Section four hundred fifty point twenty-
113 seven (450.27), Code 1971, as amended by chapter
114 two hundred eighteen (218), section four (4), Acts
115 of the Sixty-fourth General Assembly, First Session,
116 is amended to read as follows:

117 450.27 COMMISSION TO APPRAISERS. When an
118 appraisal of any part of an estate is requested by
119 the department of revenue, as provided in section
120 450.39, or is otherwise required by this chapter
121 *or is requested by an interested party, unless the*
122 *values can be established by a bona fide sale within*
123 *one year or otherwise, the clerk shall issue a*
124 *commission to the appraisers, who shall fix a time*
125 *and place for appraisal, except that if the only*
126 *interest that is subject to tax is a remainder or*
127 *deferred interest upon which the tax is not payable*
128 *until the determination of a prior estate or interest*
129 *for life or term of years, he shall not issue the*
130 *commission until the determination of the prior*
131 *estate, except at the request of parties in interest*
132 *who desire to remove an inheritance tax lien.*

133 Sec. Section four hundred fifty point twenty-
134 eight (450.28), Code 1971, is amended to read as
135 follows:

136 450.28 NOTICE OF APPRAISEMENT. It shall be the
137 duty of all appraisers appointed under the provisions
138 of this chapter, upon receiving a commission as
139 herein provided, to forthwith give notice to the
140 director of revenue *unless waived*, and other persons
141 known to be interested in the property to be
142 appraised, of the time and place at which they will
143 appraise such property, which time shall not be less
144 than ten days from the date of such notice. The
145 notice shall be served [in the same manner as is
146 prescribed for the commencement of civil actions
147 *by ordinary mail with an affidavit of mailing same*
148 *to be filed in the estate proceedings*, or in such
149 other manner as the court in his discretion, may
150 prescribe upon application of any appraiser or any

151 interested party.

152 Sec. Section four hundred fifty point thirty-
153 five (450.35), Code 1971, is amended to read as
154 follows:

155 450.35 CANCELLATION OF LIEN. If upon the hearing
156 of objections to the appraisalment the court finds
157 that the property is not subject to the tax, the
158 court shall upon expiration of time for appeal, when
159 no appeal has been taken, order the clerk to enter
160 upon the lien book a cancellation of any claim or
161 lien for taxes. If at the end of [twenty] *forty-five*
162 days from the filing of the appraisalment with the
163 clerk, no objections are filed, the appraisalment
164 shall stand approved.

165 Sec. Section four hundred fifty point thirty-
166 six (450.36), Code 1971, is amended to read as
167 follows:

168 450.36 APPRAISAL OF OTHER PROPERTY. If there
169 be an estate or property subject to said tax wherein
170 the records in the clerk's office do not disclose
171 that there may be a tax due under the provisions
172 of this chapter, the person or persons interested
173 in the property shall report the matter to the clerk
174 [with an application that the property be appraised]
175 *who shall forward a copy thereof to the department*
176 *of revenue.*

177 Sec. Section four hundred fifty point thirty-
178 nine (450.39), Code 1971, as amended by chapter two
179 hundred eighteen (218), section six (6), Acts of
180 the Sixty-fourth General Assembly, First Session,
181 is amended to read as follows:

182 450.39 APPRAISAL.

183 1. An appraisal is not required for an item of
184 property in an estate if the item is listed on an
185 inventory or report filed in the estate or an
186 amendment thereto, unless the department of revenue
187 requests appraisal by filing a written request with
188 the clerk where the inventory or report is filed,
189 within [sixty] *ninety* days after the filing. When
190 a request is filed, the clerk shall notify the
191 personal representative and his attorney of the
192 request. The department of revenue may waive an
193 appraisal which has been previously requested.

194 2. If appraisal of an item of property is not
195 required or is waived, the personal representative,
196 trustee, or the persons entitled to or claiming the
197 item of property shall be charged, for the purpose
198 of computing the tax, with the full value of the
199 item as reported in the inventory or report, *or*
200 *amendment thereto.*

201 3. *The time for appraisal may be extended by*
202 *agreement of parties.*

203 Sec. Section four hundred fifty point fifty
204 (450.50), Code 1971, is amended to read as follows:

205 450.50 REMOVAL OF PROPERTY FROM STATE—BOND.

206 It shall be unlawful for any person to remove from
207 this state any property, or the proceeds thereof,
208 that may be subject to the tax imposed by this
209 chapter, without paying the said tax to the department
210 of revenue. Any person violating the provisions
211 of this section shall be guilty of [a felony and upon
212 conviction shall be fined] *an indictable misdemeanor*
213 *as provided by law, and punishable as provided*
214 *therefor, and in addition, shall be liable to an*
215 *amount equal to twice the amount of tax, interest,*
216 *and costs for which the estate may be liable[, but*
217 *in no case less than two hundred dollars, and*
218 *imprisoned as the court shall direct, until the fine*
219 *is paid;]* provided, however, that the penalty hereby
220 imposed shall not be enforced if, prior to the removal
221 of such property or the proceeds thereof, the person
222 desiring to effect such removal files with the clerk
223 a bond conditioned upon the payment of the tax,
224 interest, and costs, as is provided in section 450.49
225 hereof.

226 Sec. Section four hundred fifty point sixty-
227 two (450.62), Code 1971, is amended to read as
228 follows:

229 **450.62 LEGACIES CHARGED UPON REAL ESTATE.**

230 Whenever any legacies subject to said tax are charged
231 upon or payable out of any real estate, the heir
232 or devisee, before paying the same, shall deduct
233 said tax therefrom and pay it to the executor,
234 administrator, trustee, or department of revenue,
235 and the same shall remain a charge against and be
236 a lien upon said real estate until it is paid *or*
237 *otherwise discharged*; and payment thereof shall be
238 enforced by the executor, administrator, trustee,
239 or director of revenue as herein provided.

240 Sec. Section four hundred fifty point eighty-
241 six (450.86), Code 1971, as amended by chapter two
242 hundred eighteen (218), section ten (10), Acts of
243 the Sixty-fourth General Assembly, First Session,
244 is amended to read follows:

245 **450.86 SECURITIES AND ASSETS HELD BY BANK, ETC.**

246 No safe deposit company, trust company, bank, or
247 other institution, person or persons holding
248 securities or assets, exclusive of life insurance
249 policies payable to named beneficiaries, which
250 securities or other assets are located in a safety
251 deposit box or other security enclosure of the
252 decedent after receiving knowledge of the death shall
253 deliver or transfer the same to the transferee, joint
254 owner, or beneficiary of the decedent unless the
255 tax for which the securities or assets are liable
256 under this chapter is first paid, or the payment
257 thereof is secured by bond as herein provided. How-
258 ever, all the contents shall be reported in writing
259 to the department of revenue, and thereafter may
260 be delivered to the executor, administrator, [or legal

261 representative] *surviving spouse, or children of the*
262 *decedent.* It is lawful for and the duty of the
263 director of revenue personally, or by any person
264 by him duly authorized, to examine the securities
265 or assets at the time of any proposed delivery or
266 transfer. Failure to give written notice of the
267 contents of the safety deposit box or other security
268 enclosure to the department of revenue [at the time
269 of or prior to the delivery of the securities or
270 assets to the executor, administrator, or legal
271 representative or transferee, joint owner, or
272 beneficiary] *or to permit examination thereof, or*
273 *the release thereof contrary to the provisions of*
274 *this section* shall render the safe deposit company,
275 trust company, bank, or other institution, person
276 or persons liable for the payment of the tax upon
277 the securities or assets as provided in this chapter.

278 Sec. Section four hundred fifty point ninety-
279 two (450.92), Code 1971, is amended to read as
280 follows:

281 450.92 COMPROMISE SETTLEMENT. Whenever an estate
282 charged or sought to be charged with the inheritance
283 tax is of such a nature, or is so disposed, that
284 the liability of the estate is doubtful, or the value
285 thereof cannot with reasonable certainty be
286 ascertained under the provisions of law, the di-
287 rector of revenue may[, with the written approval
288 of the attorney-general, which approval shall set
289 forth the reasons therefor,] compromise with the
290 beneficiaries or representatives of such estates,
291 and compound the tax thereon; [but said settlement
292 must be approved by the district court or judge of
293 the proper court,] and [after such approval] the payment
294 of the amount of the taxes so agreed upon shall dis-
295 charge the lien against the property of the estate.

296 Sec. Section four hundred fifty point ninety-
297 three (450.93), Code 1971, is amended to read as
298 follows:

299 450.93 UNKNOWN HEIRS. Whenever the heirs of
300 persons entitled to any estate or any interest therein
301 are unknown or their place of residence cannot with
302 reasonable certainty be ascertained, a tax of [five]
303 *ten percent shall be paid to the department of revenue*
304 upon all such estates or interests, subject to refund
305 as provided herein in other cases; provided, however,
306 that if it be afterwards determined that any estate
307 or interest passes to aliens, there shall be paid
308 within sixty days after such determination and before
309 delivery of such estate or property, an amount equal
310 to the difference between [five] *ten percent*, the
311 amount paid, and the amount which such person should
312 pay under the provisions of this chapter.

313 Sec. Section four hundred fifty point ninety-
314 four (450.94), Code 1971, is amended to read as
315 follows:

316 450.94 REFUND OF TAX IMPROPERLY PAID. When,
317 within five years after the payment of the tax, *the*
318 *director of revenue* or a court of competent
319 jurisdiction may determine that property upon which
320 an inheritance tax has been paid is not subject to
321 or liable for the payment of such tax, or that the
322 amount of tax paid was excessive, so much of such
323 tax as has been overpaid to the department of revenue
324 shall be returned or refunded to the executor or
325 administrator of such estate, or to those entitled
326 thereto. When a certified copy of the record of
327 such court showing the fact of nonliability of such
328 property to the payment of such tax has been filed
329 with the department of revenue, the director of
330 revenue shall, if the case has been finally
331 determined, issue an order to the state comptroller
332 directing him to issue a warrant upon the treasurer
333 of state to refund such tax. Such order of court
334 shall not be given until fifteen days' notice of
335 the application thereof shall have been given to
336 the director of revenue of the time and place of
337 the hearing of such application, which notice shall
338 be served in the same manner as provided for original
339 notices.

340 Sec. Section four hundred fifty point ninety-
341 seven (450.97), Code 1971, is amended to read as
342 follows:

343 450.97. JOINT OWNERS OF BANK ACCOUNTS—DUTY TO
344 NOTIFY DEPARTMENT OF REVENUE. [No] *Except as otherwise*
345 *provided in this section, no person, bank, credit*
346 *union, or savings and loan association shall permit*
347 *the withdrawal of funds from a joint account by a*
348 *surviving joint owner without first notifying the*
349 *department of revenue of the balance in such account*
350 *at the date of decedent's death and the name, re-*
351 *lationship, and address of the surviving joint owner.*
352 *Such notification may be accomplished by mailing*
353 *the required information by ordinary mail to the*
354 *department of revenue. [and withdrawal] Withdrawal*
355 *or payment of such funds may be made immediately*
356 *thereafter [as long as such mailing is accomplished*
357 *by ordinary mail no later than the date of with-*
358 *drawal or earlier if knowledge of the decedent's*
359 *death is known by the depository] to the executor,*
360 *administrator, surviving spouse, or children of the*
361 *decedent. No withdrawal or payment of funds shall*
362 *be made to other persons unless secured by bond for*
363 *any taxes that may be due, by release by the*
364 *department of revenue, or by a receipt or certified*
365 *copy of a receipt issued by the department of revenue*
366 *and filed with the clerk of the district court showing*
367 *payment of inheritance taxes or that none are due,*
368 *or that the estate or joint owners are otherwise*
369 *relieved of inheritance taxes. A person, bank,*
370 *credit union, or savings and loan association shall*

371 only be liable for any inheritance tax due by the
 372 surviving joint owner for [willful] failure to report
 373 to the department of revenue *or for release of funds*
 374 *except* as herein provided.

375 Sec. Section six hundred thirty-three point
 376 four hundred eighty-one (633.481), Code 1971, as
 377 amended by chapter two hundred eighteen (218), section
 378 twelve (12), Acts of the Sixty-fourth General
 379 Assembly, First Session, is amended to read as
 380 follows:

381 633.481 CERTIFICATE TO COUNTY AUDITOR FOR TAX
 382 PURPOSES WITHOUT ADMINISTRATION. Whenever an
 383 inventory or report is filed under the provisions
 384 of section 450.22, without administration of the
 385 estate of a decedent, the clerk shall issue and
 386 deliver to the county auditor of the county in which
 387 the real estate is situated a like certificate
 388 pertaining to each parcel of real estate described
 389 in the inventory or report. Any fees for certificates
 390 required by this section or section 633.480 shall
 391 be assessed as *court* costs [of administration, but
 392 the certificates shall be filed whether fees are
 393 paid or not].

394 Sec. Sections four hundred fifty point
 395 seventeen (450.17), four hundred fifty point fifty-
 396 four (450.54), four hundred fifty point seventy-two
 397 (450.72), four hundred fifty point seventy-six
 398 (450.76), four hundred fifty point seventy-seven
 399 (450.77), four hundred fifty point seventy-eight
 400 (450.78), four hundred fifty point seventy-nine
 401 (450.79), four hundred fifty point eighty (450.80),
 402 four hundred fifty point eighty-one (450.81), four
 403 hundred fifty point eighty-two (450.82), four hundred
 404 fifty point eighty-three (450.83) and four hundred
 405 fifty point eighty-eight (450.88), Code 1971, are
 406 repealed.

407 2. Amend the title, page 1, line 1, by inserting
 408 after the word "Code" the words "and inheritance
 409 taxes".

PELTON of Clinton

1 Amend Senate File 1195 by adding the following
 2 new section:
 3 "Sec. 2. Section six hundred nine point twenty-
 4 five (609.25), Code 1971, as amended by chapter two
 5 hundred sixty-five (265), Acts of the Sixty-fourth
 6 General Assembly, First Session, is amended to read
 7 as follows:
 8 609.25 GRAND JURY PANEL. A grand jury panel
 9 of twelve persons shall be drawn by the said com-
 10 missioners from the grand jury box on *or before*
 11 the last secular Monday of December preceding the
 12 new calendar year, and shall be drawn in the same
 13 manner and under the same conditions, except as other-
 14 wise provided, as are specified for the drawing of

15 said petit jury panel. Such grand jury panel shall
16 constitute the panel from which to select the grand
17 jurors for one year.

18 A majority of the judges of the district court
19 may order a second panel of twelve persons to be
20 drawn in like manner from which a second grand jury
21 may be selected. Such second grand jury shall serve
22 on matters assigned to it by the foreman of the first
23 grand jury and it shall be served by the same clerk
24 and staff, but otherwise it shall be governed by the
25 same law as in the case of the original grand jury
26 panel and grand jury."

KNOKE of Pottawattamie

On motion by Varley of Adair, the House adjourned until 9:00
a.m., Thursday, March 23, 1972.

JOURNAL OF THE HOUSE

Seventy-fourth Calendar Day—Fifty-fourth Session Day

HALL OF THE HOUSE OF REPRESENTATIVES
DES MOINES, IOWA, THURSDAY, MARCH 23, 1972

The House met pursuant to adjournment, Speaker Harbor in the chair.

Prayer was offered by the Reverend Merle Nelson, pastor of the Morningside Baptist Church, Sioux City, Iowa.

The Journal of Wednesday, March 22, 1972, was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. C. A. Nicoll, Panora, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Camp of Clinton by the Speaker; Freeman of Buena Vista until 6:00 p.m. by the Speaker.

PRESENTATION OF VISITORS

Rex of Hamilton presented to the House the Honorable Robert W. Naden, former member of the House during the Fifty-sixth, Fifty-seventh, Fifty-eighth and Fifty-ninth General Assemblies representing Hamilton County, who served as Speaker of the House during the Fifty-ninth General Assembly.

The Speaker announced that the following visitors were present in the House chamber:

Sixty fifth grade students from Nevada Elementary School, Nevada, Iowa, accompanied by Mrs. Doolittle and Miss Irvin. By Larson of Story.

Seventeen members of the Girls' Library Club, Mar-Mac Schools, McGregor, Iowa, accompanied by Mr. and Mrs. Larry Dobson. By Tieden of Clayton.

Thirty-one government class students from the Anamosa High School, Anamosa, Iowa, accompanied by Donna Hellmich. By McCormick of Delaware.

Fifty eighth grade students from West Harrison School, Mondamin, Iowa, accompanied by Darlene Hime. By Nielsen of Shelby.

PETITION FILED

The following petition was received and placed on file:

By Hansen of Black Hawk, a proclamation on behalf of the Iowa Amvets (J. L. Redden, State Commander) for a national week of concern for Americans who are prisoners of war or missing in action.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 131

Grassley of Butler called up for consideration **House Concurrent Resolution 131**, filed on March 13, 1972, and found on pages 1090 and 1091 of the House Journal, and moved its adoption.

The motion prevailed and the resolution was adopted.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 139

Freeman of Buena Vista called up for consideration **House Concurrent Resolution 139**, filed on March 21, 1972, and found on page 1295 of the House Journal, and moved its adoption.

The motion prevailed and the resolution was adopted.

ADOPTION OF HOUSE RESOLUTION 101

Varley of Adair called up for consideration **House Resolution 101**, filed on March 22, 1972, and found on pages 1326 and 1327 of the House Journal, and moved its adoption.

The motion prevailed and the resolution was adopted.

ADOPTION OF SENATE CONCURRENT RESOLUTIONS 119, 120, 121 AND 122

Varley of Adair called up for consideration **Senate Concurrent Resolution 119**, filed on March 16, 1972, and found on pages 1224 and 1225 of the House Journal, and moved its adoption.

The motion prevailed and the resolution was adopted.

Varley of Adair called up for consideration **Senate Concurrent Resolution 120**, filed on March 16, 1972, and found on page 1225 of the House Journal, and moved its adoption.

The motion prevailed and the resolution was adopted.

Varley of Adair called up for consideration **Senate Concurrent Resolution 121**, filed on March 16, 1972, and found on pages 1225 and 1226 of the House Journal, and moved its adoption.

The motion prevailed and the resolution was adopted.

Varley of Adair called up for consideration **Senate Concurrent Resolution 122**, filed on March 16, 1972, and found on page 1226 of the House Journal, and moved its adoption.

The motion prevailed and the resolution was adopted.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File 10, a bill for an act relating to the maintenance of access roads.

Also: That the Senate has adopted the conference committee report and the amendments contained therein and passed House File 69, a bill for an act relating to errors and omissions insurance for county officers and employees.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File 145, a bill for an act relating to excise tax on the sale of turkeys.

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

House File 1133, a bill for an act relating to a corrective amendment to the "Iowa Beer and Liquor Control Act".

Also: That the Senate has refused to concur in the House amendment to the Senate amendment to the following bill in which the concurrence of the Senate was asked:

House File 1156, a bill for an act creating an Iowa world exposition authority.

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

House File 1273, a bill for an act relating to the regulation of advertising and selling courses of instruction.

Also: That the Senate has concurred in House amendment to and passed the following bill in which the concurrence of the Senate was asked:

Senate File 185, a bill for an act combining the present county fund for mental health with the state institution fund.

Also: That the Senate has adopted the following concurrent resolution in which the concurrence of Senate was asked:

House Concurrent Resolution 121, urging the board of regents to investigate the possibilities of establishing a college of criminal justice.

Also: That the Senate has adopted the following concurrent resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution 128, providing that claims submitted to the joint claims committee and rejected should be submitted to the Senate and House for final action.

Also: That the Senate has adopted the following concurrent resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution 132, urging the Board of Governors of the Federal Reserve System not to detract from the State of Iowa by fragmenting it into different Federal Reserve Districts.

Also: That the Senate has adopted the following concurrent resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 130, urging the Governor of Iowa to proceed with a statewide comprehensive conference on Iowa's future.

CARROLL A. LANE, Secretary

RULES SUSPENDED

(Senate Files 1189 and 1203)

Varley of Adair asked for unanimous consent that the rules be suspended for the consideration of Senate Files 1189 and 1203.

Objection was raised.

Varley of Adair moved that the rules be suspended for the consideration of Senate Files 1189 and 1203.

Roll call was requested by Blouin of Dubuque and Skinner of Polk.

Rule 69 was invoked.

On the question "Shall the rules be suspended for the consideration of Senate Files 1189 and 1203?"

The ayes were, 57:

Alt	Hamilton	Millen	Stanley
Andersen	Hansen	Miller	Stokes
Bergman	Holden	Moffitt	Strand
Campbell	Kehe	Nielsen	Stromer
Christensen	Kelly	Nystrom	Strothman
Clark	Knoke	Pelton	Taylor
Curtis	Kreamer	Pierson	Tieden
Den Herder	Kruse	Rex	Trowbridge
Drake	Lawson	Roorda	Varley
Edelen	Lipsky	Schroeder	Waugh
Egenes	Logemann	Schwieger	Welden
Ellsworth	McElroy	Shaw	Winkelman
Fischer, H. O.	Mendenhall	Siglin	Wirtz
Fisher, C. R.	Menefee	Sorg	Mr. Speaker
Grassley			

The nays were, 36:

Anania	Franklin	McCormick	Schmeiser
Bennett	Gluba	Middleswart	Schwartz
Blouin	Husak	Monroe	Scott
Bray	Jesse	Norpel	Skinner
Cochran	Johnston	Patton	Small
Dougherty	Kennedy	Priebe	Uban
Doyle	Kinley	Radl	Wells
Dunton	Larson	Rodgers	Willits
Ewell	Mayberry	Sargisson	Wyckoff

Absent or not voting, 7:

Camp	Goode	Knoblauch	Pellett
Freeman	Hill	Mollett	

The motion prevailed.

BUSINESS PENDING

(House File 1196)

The House resumed consideration of **House File 1196**, a bill for an act relating to the planning for the conversion of Terrace Hill for use as a governor's mansion, and the following amendment filed by Fisher of Greene and Varley of Adair:

Amend House File 1196 as follows:

1. By striking everything after the enacting clause and inserting in lieu thereof the following:

Section 1. Pursuant to section two (2) of chapter two hundred ninety-three (293), Acts of the Sixty-third General Assembly, First Session, the general assembly hereby determines that Terrace Hill shall be used, when finally remodeled, as the governor's mansion. The executive council shall make plans for the use of Terrace Hill as the governor's mansion and in making such plans shall consider making the first floor of Terrace Hill available to the public subject to reasonable restrictions in order to preserve its primary function for use by the governor for official state functions and in order to preserve the beauty, decor and antiquity of Terrace Hill.

Sec. 2. The executive council may accept gifts and federal funds and use such gifts and federal funds for the purpose of converting or planning for the conversion of Terrace Hill subject to such conditions as may be contained in the grant of the gifts. The executive council may accept gifts of personal property for placement in Terrace Hill.

Sec. 3. The executive council shall use such funds as may be available under the provisions of section nineteen point twenty-nine (19.29) of the Code, pursuant to the authorization contained in chapter two hundred ninety-three (293), Acts of the Sixty-fourth General Assembly, First Session, to carry out the provisions of this Act.

Sec. 4. The executive council shall make a report to the general assembly meeting in the year 1973 regarding plans for the remodeling and conversion of Terrace Hill as the governor's mansion. The executive council shall consider recommendations of any committee appointed to plan for the use of Terrace Hill as a governor's mansion.

2. Page 1, amend the title by striking from lines 2 and 3 the words ", and making an appropriation".

Fisher of Greene offered the following amendment to his amendment and moved its adoption:

Amend the Fisher amendment to House File 1196, filed March 14, 1972 by striking from lines 5 and 6 the word "Sixty-third" and inserting in lieu thereof the word "Sixty-fourth".

The amendment to the amendment was adopted.

Millen of Van Buren in the chair at 9:30 a.m.

Ewell of Black Hawk offered the following amendment to the amendment from the floor:

Amend the Fisher amendment to House File 1196, filed March 14, 1972 by inserting after line 16 the following:

"In the event that the governor should choose not to reside in the Terrace Hill mansion there shall be appropriated from the general fund of the state an amount sufficient to provide suitable residence for the governor elsewhere".

Shaw of Scott moved that the Rodgers, et al., amendment be substituted for the Fisher-Varley amendment.

Speaker Harbor in the chair at 9:50 a.m.

On the Shaw motion to substitute, a non-record roll call was requested.

The ayes were 41, nays 50.

The motion lost.

Millen of Van Buren rose on a point of order that the Ewell amendment to the amendment was not germane.

The Speaker ruled the point well taken.

Ewell of Black Hawk rose on a point of order and challenged the ruling of the Chair.

On the question "Shall the ruling of the Chair be sustained?"

The ayes were 58, nays 21.

The motion prevailed and the ruling of the Chair was sustained.

Fisher of Greene moved the adoption of the Fisher-Varley amendment as amended.

Roll call was requested by Fisher of Greene and Varley of Adair.

On the question "Shall the amendment as amended be adopted?"

The ayes were, 57:

Alt	Hill	Miller	Small
Andersen	Jesse	Moffitt	Sorg
Bergman	Johnston	Monroe	Stanley
Bray	Kelly	Nystrom	Strand
Clark	Kennedy	Pelton	Stromer
Curtis	Knoke	Priebe	Taylor
Den Herder	Kreamer	Radl	Trowbridge
Drake	Kruse	Roorda	Uban
Dunton	Lawson	Sargisson	Varley
Egenes	Logemann	Schroeder	Waugh
Fischer, H. O.	McCormick	Schwieger	Welden
Fisher, C. R.	McElroy	Scott	Willits
Gluba	Menefee	Siglin	Winkelman
Hamilton	Millen	Skinner	Mr. Speaker
Hansen			

The nays were, 34:

Anania	Ellsworth	Middleswart	Schmeiser
Bennett	Ewell	Nielsen	Schwartz
Blouin	Franklin	Norpel	Shaw
Campbell	Husak	Patton	Stokes
Christensen	Kehe	Pellett	Strothman
Cochran	Kinley	Pierson	Tieden
Dougherty	Knoblauch	Rex	Wells
Doyle	Larson	Rodgers	Wyckoff
Edelen	Mendenhall		

Absent or not voting, 9:

Camp	Grassley	Lipsky	Mollett
Freeman	Holden	Mayberry	Wirtz
Goode			

The amendment as amended was adopted.

Rodgers of Dallas asked and received unanimous consent to withdraw the Rodgers, et al., amendment filed on March 17, 1972, and found on pages 1273 and 1274 of the House Journal.

Dunton of Keokuk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1196)

The ayes were, 65:

Alt	Hill	Middleswart	Small
Andersen	Jesse	Millen	Sorg
Bergman	Johnston	Miller	Stanley
Bray	Kehe	Moffitt	Strand
Clark	Kelly	Monroe	Stromer
Cochran	Kennedy	Norpel	Taylor
Curtis	Knoblauch	Nystrom	Trowbridge
Den Herder	Knoke	Pelton	Uban
Drake	Kreamer	Priebe	Varley
Dunton	Kruse	Radl	Waugh
Egenes	Lawson	Roorda	Welden
Ellsworth	Logemann	Sargisson	Wells
Fischer, H. O.	Mayberry	Schroeder	Willits
Fisher, C. R.	McCormick	Schwieger	Winkelman
Gluba	McElroy	Scott	Wirtz
Hamilton	Menefee	Siglin	Mr. Speaker
Hansen			

The nays were, 28:

Anania	Edelen	Mendenhall	Schmeiser
Bennett	Ewell	Nielsen	Schwartz
Blouin	Franklin	Patton	Skinner
Campbell	Grassley	Pellett	Stokes
Christensen	Husak	Pierson	Strothman
Dougherty	Kinley	Rex	Tieden
Doyle	Larson	Rodgers	Wyckoff

Absent or not voting, 7:

Camp	Goode	Lipsky	Shaw
Freeman	Holden	Mollett	

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

HOUSE MESSAGE CONSIDERED AND PENDING

(House File 1156)

Winkelman of Calhoun called up for consideration the message from the Senate in which the Senate refused to concur in the House amendment to the Senate amendment to **House File 1156**, and moved that the House insist on its amendment to the Senate amendment.

Uban of Black Hawk moved as a substitute motion that the House recede from its amendment to the Senate amendment.

(Senate message to House File 1156 pending at recess.)

The House was recessed until 1:30 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Harbor in the chair.

ANNOUNCEMENT BY THE SPEAKER

At noon today, the Lieutenant Governor, Roger W. Jepsen, and Speaker of the House, William H. "Bill" Harbor, were notified by telephone by Chief Justice Moore the following information concerning the release of the Court approved reapportionment plans:

The Court will release its plan either on Friday, March 31st, Monday, April 3rd or Tuesday, April 4th. Publicity as to the exact release date will be issued in a few days. The following release procedure will be followed:

The day the Court release is made, a packet of information will be mailed to every Senate and House member containing a map of the over-all state plan for both the Senate and the House; also, a detailed map of the Legislator's own district with a legal description of same will be included.

For those who would desire to pick up this information at the time it is released, this can be done by being at the Court chambers at the release time and picking up such information; otherwise, it will be sent to you.

Speaker pro tempore Millen in the chair at 1:40 p.m.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 138

Small of Johnson called up for consideration **House Concurrent Resolution 138**, filed on March 17, 1972, and found on page 1270 of the House Journal, and moved its adoption.

The motion prevailed and the resolution was adopted.

ADOPTION OF SENATE CONCURRENT RESOLUTION 130

Cochran of Webster asked and received unanimous consent to take up for immediate consideration **Senate Concurrent Resolution 130** as follows and moved its adoption:

SENATE CONCURRENT RESOLUTION 130

By Schaben

Whereas, Iowa has enjoyed a history of balanced and buoyant growth accompanied by shared objectives of individual dignity and a high quality of life; and

Whereas, this nation is approaching its bicentennial observances with a determination to preserve and broaden the liberties and opportunities it has valued; and

Whereas, in the coming years Iowa will face difficult choices in setting priorities which will permit it to sustain the traditions and quality of life it has; and

Whereas, these choices in areas such as transportation, agriculture, education, energy supply, balance between urban and rural communities, health, use of leisure and cultural opportunity will require both citizen initiative and expert advice; and

Whereas, Iowa has made beginnings through such institutions as the Iowa Development Commission and the Governor's Rural Policy Conference which need to be reinforced and integrated in better statewide planning and con-

sultation for a fuller vision of Iowa's future; *Now, Therefore,*

Be It Resolved by the Senate, the House Concurring, That the Governor of Iowa proceed forthwith to determine a proper time and place for a state-wide comprehensive conference on Iowa's future and that he arrange a sequence of local and preparatory meetings; and

Be It Further Resolved, That in this effort the Governor invite and seek the cooperation and assistance of both citizen and public bodies including the Iowa Board of Regents, private colleges, expert consultative groups, and local professional and community associations.

The motion prevailed and the resolution was adopted.

MOTION TO RECONSIDER LOST

(Senate File 428)

Norpel of Jackson called up for consideration his motion to reconsider filed on March 17, 1972, and moved to reconsider the vote by which Senate File 428, a bill for an act to provide a unified trial court having district court judges and district court magistrates; to discontinue superior, justice of the peace, and police courts; and to establish traffic violations offices within the district court to receive uniform traffic violation penalties.

Roll call was requested by Norpel of Jackson and Gluba of Scott.

On question "Shall Senate File 428 be reconsidered?"

The ayes were, 19:

Anania	Doyle	Kinley	Schmeiser
Bennett	Ewell	Knoblauch	Scott
Blouin	Gluba	Norpel	Skinner
Cochran	Husak	Rodgers	Wyckoff
Dougherty	Jesse	Sargisson	

The nays were, 67:

Alt	Hansen	Moffitt	Stanley
Andersen	Hill	Monroe	Stokes
Bergman	Holden	Nielsen	Strand
Bray	Johnston	Nystrom	Stromer
Campbell	Kehe	Patton	Taylor
Christensen	Kelly	Pellet	Tieden
Clark	Knoke	Pelton	Trowbridge
Curtis	Kreamer	Pierson	Uban
Den Herder	Kruse	Radl	Varley
Drake	Larson	Rex	Waugh
Dunton	Lawson	Roorda	Welden
Edelen	Lipsky	Schroeder	Wells
Egenes	Logemann	Schwartz	Willits
Fisher, C. R.	McElroy	Schwieger	Winkelman
Franklin	Mendenhall	Siglin	Wirtz
Grassley	Menefee	Small	Mr. Speaker
Hamilton	Miller	Sorg	(Millen)

Absent or not voting, 14:

Camp	Goode	McCormick	Priebe
Ellsworth	Harbor	Middleswart	Shaw
Fischer, H. O.	Kennedy	Mollett	Strothman
Freeman	Mayberry		

The motion lost.

HOUSE INSISTS

(House File 1156)

The House resumed consideration of the Uban substitute motion that the House recede from its amendments to the Senate amendment to House File 1156.

A non-record roll call was requested.

The ayes were 23, nays 61.

The motion lost and the House insists on its amendments to the Senate amendment.

CONFERENCE COMMITTEE APPOINTED

(House File 1156)

The Speaker announced the appointment of the conference committee to consider the differences between the House and Senate concerning House File 1156: Stanley of Linn, chairman; Winkelman of Calhoun, Alt of Polk, and Priebe of Kossuth.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the President of the Senate has appointed as members of the conference committee on House File 1156, a bill for an act creating an Iowa world exposition authority, on the part of the Senate: the Senator from Greene, Mr. Arbuckle, chairman; the Senator from Webster, Mr. Coleman; the Senator from Warren, Mr. Laverty; and the Senator from Story, Mr. Van Drie.

CARROLL A. LANE, Secretary

HOUSE INSISTS

(House File 1279)

Welden of Hardin called up for consideration House File 1279, a bill for an act authorizing exercise of a purchase-option by the executive council and appropriating funds therefor, and moved that the House insist on the House amendment to the Senate amendment.

A non-record roll call was requested.

The ayes were 75, nays 7.

The motion prevailed and the House insists on its amendment to the Senate amendment.

CONFERENCE COMMITTEE APPOINTED

(House File 1279)

The Speaker announced the appointment of the conference committee to consider the differences between the House and Senate concerning House File 1279: Welden of Hardin, chairman; Lawson of Cerro Gordo, Winkelman of Calhoun and Dunton of Keokuk.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the President of the Senate has appointed as members of the conference committee on House File 1279, a bill for an act authorizing exercise of a purchase-option by the executive council, on the part of the Senate: the Senator from Marshall, Mr. Mowry, chairman; the Senator from Polk, Mr. Carlson; the Senator from Linn, Mr. Robinson; and the Senator from O'Brien, Mr. Smith.

CARROLL A. LANE
Secretary of the State

SENATE AMENDMENTS CONSIDERED

Curtis of Cherokee asked and received unanimous consent to take up for immediate consideration House File 1273, a bill for an act relating to regulation of advertising and selling of courses of instruction, amended by the Senate as follows:

SENATE AMENDMENT TO HOUSE FILE 1273

Amend House File 1273, as amended and passed by the House, by adding the following new sections:

1. "Sec. Section seven hundred thirteen A point one (713A.1), subsection two (2), Code 1971, is amended to read as follows:
2. Collect tuition or other charges in excess of one hundred fifty dollars [in advance of the actual attendance of a pupil in the school, or] in the case of correspondence courses of study, in advance of the receipt and approval by the pupil of the first assignment or lesson of such course. Any contract providing for advance payment of more than one hundred fifty dollars shall be voidable on the part of the pupil or any person liable for the tuition provided for in the contract."
2. "Sec. Section seven hundred thirteen A point two

(713A.2), subsection one (1), Code 1971, is amended to read as follows:

1. A continuous corporate surety bond to the state of Iowa in the sum of [ten] *fifty* thousand dollars conditioned for the faithful performance of all contracts and agreements with students made by such person, firm, association, or corporation, or their salesmen; provided, however, that the aggregate liability of the surety for all breaches of the conditions of the bond shall, in no event, exceed the sum of said bond. The surety on the bond shall have the right to cancel said bond upon giving thirty days' written notice to the superintendent of public instruction and thereafter shall be relieved of liability for any breach of condition occurring after the effective date of said cancellation."

3. "Sec. Chapter seven hundred thirteen A (713A), Code 1971, is amended by adding the following new section:

TRADE AND VOCATIONAL SCHOOLS—EXEMPTION—CONDI-
TIONS.

The provisions of this chapter shall not apply to trade or vocational schools if they meet either of the following conditions:

1. File a bond or a bond is filed on their behalf by a parent corporation with the superintendent of public instruction as required by subsection two (2) of section seven hundred thirteen A point two (713A.2) of the Code.

2. File an annual sworn statement, or such statement is filed on their behalf by a parent corporation, certified by a certified public accountant, showing all assets and liabilities of the trade or vocational school and the assets of a parent corporation. The statement shall show the trade or vocational school's net worth, or the net worth of the parent corporation, to be not less than five times the amount of the bond required by subsection two (2) of section seven hundred thirteen A point two (713A.2) of the Code. In the event that a parent corporation files such statement or its net worth is included therein to comply with this subsection, such parent corporation shall appoint a registered agent and otherwise be subject to subsection two (2) of section seven hundred thirteen A point two (713A.2) of the Code and shall be liable for the breach of any contract or agreement with students as well as liable for any fraud in connection therewith or for any violation of section seven hundred thirteen point twenty-four (713.24) of the Code by such trade or vocational school or any of its agents or salesmen."

4. "Sec. Section seven hundred thirteen A point five (713A.5), Code 1971, is hereby amended as follows:

1. Violation of any of the provisions of this chapter shall be [a misdemeanor,] punishable upon conviction by a fine not exceeding [one] *five* hundred dollars or [thirty days] *six months* in jail, or both."

Curtis of Cherokee moved that the House concur in the Senate amendment.

The motion prevailed and the House concurred in the Senate amendment.

Curtis of Cherokee moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its repassage which motion prevailed and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 1273)

The ayes were, 88:

Alt	Gluba	McElroy	Scott
Anania	Grassley	Mendenhall	Siglin
Andersen	Hamilton	Menefee	Skinner
Bergman	Hansen	Middleswart	Sorg
Blouin	Hill	Miller	Stanley
Bray	Holden	Moffitt	Stokes
Campbell	Husak	Nielsen	Strand
Christensen	Jesse	Norpel	Stromer
Clark	Johnston	Nystrom	Strothman
Cochran	Kehe	Patton	Taylor
Curtis	Kelly	Pellett	Tieden
Den Herder	Kennedy	Pelton	Trowbridge
Dougherty	Kinley	Pierson	Varley
Doyle	Knoblauch	Priebe	Waugh
Drake	Knoke	Rex	Welden
Dunton	Kreamer	Rodgers	Wells
Edelen	Kruse	Roorda	Willits
Egenes	Larson	Sargisson	Winkelman
Ellsworth	Lawson	Schmeiser	Wirtz
Ewell	Lipsky	Schroeder	Wyckoff
Fischer, H. O.	Logemann	Schwartz	Mr. Speaker
Fisher, C. R.	McCormick	Schwieger	(Millen)
Franklin			

The nays were, 1:

Uban

Absent or not voting, 11:

Bennett	Goode	Mollett	Shaw
Camp	Harbor	Monroe	Small
Freeman	Mayberry	Radl	

The bill having received a constitutional majority was declared to have repassed the House and the title was agreed to.

SIFTING COMMITTEE NONCONTROVERSIAL CALENDAR

The House resumed consideration of **House File 1290**, a bill for an act relating to the department of general services and the executive council.

Kehe of Bremer offered the following amendment filed by Lawson, et al., and moved its adoption:

Amend House File 1290 as follows:

1. Page 2, line 14, by inserting after the word

"council" the following: "*with the approval of the capitol planning commission,*".

2. Page 4, by striking lines 9 through 19 and inserting in lieu thereof the following new sections:

"Sec. Section eighteen A point one (18A.1), Code 1971, as amended by chapter eighty-four (84), section seventy (70), Acts of the Sixty-fourth General Assembly, First Session, is amended by striking the section and inserting in lieu thereof the following:

18A.1 COMMISSION CREATED. There is hereby created the capitol planning commission composed of thirteen members appointed as follows:

(1) Four members of the general assembly, two to be appointed by the speaker of the house from the membership of the house of representatives, and two to be appointed by the lieutenant governor from the membership of the senate.

(2) Three residents of the state of Iowa appointed by the governor.

(3) The director of the department of general services or his designee.

(4) The curator of the Iowa state department of history and archives.

(5) The department head of landscape architecture at Iowa state university of science and technology.

(6) The president of the board of architectural examiners.

(7) The president of the board of curators of the state historical society.

(8) The chairman of the Iowa state arts council.

The members of the commission appointed by the governor shall be qualified by experience or education to aid the commission to carry out its duties.

Sec. Section eighteen A point two (18A.2), Code 1971, is amended to read as follows:

18A.2 TERMS. The terms of office of the nonofficial appointees shall be four years and until their successors are appointed. Vacancies therein shall be filled by the governor, such vacancy appointees to serve for the unexpired term of the original appointee. The terms of office of the members of the general assembly herein shall be for four years unless sooner terminated by ceasing to be members of the general assembly in which event the vacancies thus created shall be filled by the speaker of the house or the lieutenant governor as the case may be, the members so appointed to serve for the unexpired term of their predecessors. [The terms of office of all members of the capitol planning commission in office on July 4, 1965 are continued to May 1, 1967 on which date all terms shall terminate. Prior to

said date appointments shall be made for succeeding members as follows:

From the house of representatives, one for a term of two years and one for a term of four years.

From the senate, one for a term of two years and one for a term of four years.

For successors to nonofficial appointees one for a term of two years and two for terms of four years.]

All terms of [members] *nonofficial appointees* of the commission shall begin on May 1 of each odd-numbered year [beginning with May 1, 1967] *following their appointment.*

Sec. Section eighteen A point three (18A.3), Code 1971, as amended by chapter eighty-four (84), section seventy-one (71), Acts of the Sixty-fourth General Assembly, First Session, is amended to read as follows:

18A.3 DUTIES. It shall be the duty of the commission to a [advise upon] *approve* the location of statues, fountains and monuments and the placing of any additional buildings [on the capitol grounds] *at the seat of government, to adopt plans* for the type of architecture and the type of construction of any new buildings to be erected [on the state capitol grounds] *at the seat of government* as now encompassed or as subsequently enlarged, and [repairs and restoration thereof, and] it shall be the duty of the officers, commissions, and councils charged by law with the duty of determining such questions to call upon the commission for [such advice] *approval of plans.*

No alteration or repair to the state capitol building, including any project initiated under chapter two (2) of the Code, with a probable cost in excess of three thousand dollars shall be made without the approval of the capitol planning commission.

If any alteration or repair of the state capitol is approved, it shall conform to the original appearance and architectural style and before construction shall begin, the detailed plans and drawings shall be submitted to the capitol planning commission for approval. The capitol planning commission may review any alteration to the state capitol previously made and may order restoration or changes so that the original appearance and architectural style is preserved.

The commission shall, in cooperation with the director of the department of general services, develop and implement within the limits of its appropriation, a five-year modernization program for the capitol complex.

Sec. Section eighteen A point four (18A.4), Code 1971, is amended to read as follows:

18A.4 ORGANIZATION. The commission [shall enter

into its duties as soon as this resolution is effective and as soon as the membership has been filled as herein specified;] shall organize by the selection of a chairman and a secretary drawn from the membership of the commission, who shall serve at the pleasure of the commission.

A majority of the total membership of the commission shall be necessary for any official action.

Sec. Section eighteen A point five (18A.5), Code 1971, is amended by striking the section and inserting in lieu thereof the following:

18A.5 EXPENSES. The members of the commission shall receive a per diem of forty dollars for attending a meeting of the commission and shall be paid for the actual and necessary expenses while in attendance at any meeting of the commission and in going to and from the seat of government to attend a meeting of such commission. Legislative members will receive no additional compensation and expenses for attending meetings while the general assembly is in session. Expenses and per diem for all members shall be paid from funds appropriated to the commission. Service of the director of the department of general services or his designee shall be an additional duty conferred by statute."

3. By renumbering the bill sections to conform to this amendment.

4. Page 1, line 1, by amending the title by inserting after the word "to" the words "the capitol planning commission,".

The amendment was adopted.

Lawson of Cerro Gordo moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1290)

The ayes were, 84:

Alt	Edelen	Kinley	Norpel
Anania	Egenes	Knoblauch	Nystrom
Andersen	Ellsworth	Kreamer	Patton
Bennett	Fisher, C. R.	Kruse	Pellett
Bergman	Franklin	Larson	Pelton
Blouin	Gluba	Lawson	Pierson
Bray	Grassley	Lipsky	Priebe
Campbell	Hamilton	Logemann	Radl
Clark	Hansen	McCormick	Rodgers
Cochran	Harbor	McElroy	Roorda
Curtis	Hill	Mendenhall	Sargisson
Den Herder	Holden	Menefee	Schroeder
Dougherty	Johnston	Middleswart	Schwartz
Doyle	Kehe	Miller	Schwieger
Drake	Kelly	Moffitt	Scott
Dunton	Kennedy	Nielsen	Shaw

Siglin	Strand	Varley	Winkelman
Skinner	Stromer	Waugh	Wirtz
Small	Strothman	Welden	Wyckoff
Sorg	Trowbridge	Wells	Mr. Speaker
Stanley	Uban	Willits	(Millen)
Stokes			

The nays were, 7:

Christensen	Husak	Schmeiser	Tieden
Fischer, H. O.	Rex	Taylor	

Absent or not voting, 9:

Camp	Goode	Knoke	Mollett
Ewell	Jesse	Mayberry	Monroe
Freeman			

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

CONSIDERATION OF BILLS

SIFTING COMMITTEE CALENDAR

Senate File 517, a bill for an act to revise, update and correct certain sections of the Code of Iowa relating to school districts and school corporations, with report of committee recommending passage, was taken up for consideration.

Grassley of Butler moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 517)

The ayes were, 90:

Alt	Grassley	Mendenhall	Shaw
Anania	Hamilton	Menefee	Siglin
Andersen	Hansen	Middleswart	Small
Bennett	Harbor	Miller	Sorg
Bergman	Hill	Moffitt	Stanley
Blouin	Holden	Nielsen	Stokes
Bray	Husak	Norpel	Strand
Campbell	Jesse	Nystrom	Stromer
Christensen	Johnston	Patton	Strothman
Clark	Kehe	Pellett	Taylor
Cochran	Kelly	Pelton	Tieden
Curtis	Kennedy	Pierson	Trowbridge
Dougherty	Kinley	Priebe	Uban
Doyle	Knoblauch	Radi	Waugh
Drake	Knoke	Rex	Welden
Dunton	Kreamer	Rodgers	Wells
Edelen	Kruse	Roorda	Willits
Egenes	Larson	Sargisson	Winkelman
Ellsworth	Lawson	Schmeiser	Wirtz
Fischer, H. O.	Lipsky	Schroeder	Wyckoff
Fisher, C. R.	Logemann	Schwartz	Mr. Speaker
Franklin	McCormick	Schwieger	(Millen)
Gluba	McElroy	Scott	

The nays were, none.

Absent or not voting, 10:

Camp	Freeman	Mollett	Skinner
Den Herder	Goode	Monroe	Varley
Ewell	Mayberry		

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

SENATE AMENDMENT CONSIDERED

Kelly of Woodbury called up for consideration House File 1133, a bill for an act making corrective amendments to the "Iowa Beer and Liquor Control Act" by defining the phrase "intoxicating liquor"; changing the term of office of council members; allowing certain special permit holders to buy alcohol direct from distiller or wholesaler; amending the qualifications for the holding of certain special liquor permits; defining the authority of local issuing bodies upon initial issuance of liquor licenses and retail beer permits; changing the license fees for hotels and motels located outside corporate limits of cities and towns; correcting the omission of the words "and tax" in provisions relating to air common carriers; providing that certain refund provisions apply to all classes of retail beer permittees; providing notification of the transfer of location of the licensed premises for the retail sale of beer and liquor to the department and establishing a transfer fee by regulation; redefining areas in which retail licenses and permits may be granted; redefining the term "grocery store"; eliminating a conflict in population factors; making uniform the time a penalty of license suspension might last for all classes of beer permit holders and the holders of certificates of compliance by brewers and importers of malt beverages; and, by providing that books of accounts and records of beer permittees shall be open to inspection by the enforcement division of beer and liquor department of public safety during normal business hours, amended by the Senate, and moved that the House concur in the following Senate amendment:

Amend House File 1133 as passed by the House as follows:

1. Page 6, line 19, by striking the word "*subjected*" and by striking all of lines 20 and 21 and inserting in lieu thereof the following: "*Where such business is permitted by any valid zoning ordinance or will be so permitted*".

The motion prevailed and the House concurred in the Senate amendment.

Kelly of Woodbury moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its repassage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1133)

The ayes were, 79:

Alt	Grassley	Mendenhall	Skinner
Anania	Hamilton	Menefee	Small
Andersen	Hansen	Middleswart	Sorg
Bennett	Harbor	Miller	Stanley
Bergman	Hill	Moffitt	Stokes
Blouin	Jesse	Nielsen	Strand
Bray	Johnston	Norpel	Stromer
Christensen	Kehe	Nystrom	Strothman
Clark	Kelly	Patton	Taylor
Cochran	Kinley	Pellett	Tieden
Curtis	Knoblauch	Priebe	Trowbridge
Dougherty	Knoke	Rex	Uban
Doyle	Kreamer	Rodgers	Waugh
Drake	Kruse	Schmeiser	Wells
Egenes	Larson	Schroeder	Willits
Ellsworth	Lawson	Schwartz	Winkelman
Fischer, H. O.	Lipsky	Schwieger	Wirtz
Fisher, C. R.	Logemann	Scott	Wyckoff
Franklin	McCormick	Shaw	Mr. Speaker
Gluba	McElroy	Siglin	(Millen)

The nays were, 5:

Campbell	Husak	Kennedy	Welden
Holden			

Absent or not voting, 16:

Camp	Ewell	Mollett	Radl
Den Herder	Freeman	Monroe	Roorda
Dunton	Goode	Pelton	Sargisson
Edelen	Mayberry	Pierson	Varley

The bill having received a constitutional majority was declared to have repassed the House and the title was agreed to.

SENATE AMENDMENT CONSIDERED

Fisher of Greene called up for consideration House File 1242, a bill for an act to establish a commission on compensation, expenses, and salaries for elective state officials, amended by the Senate as follows:

Amend House File 1242, as amended and passed by the House, page 3, line 4, by inserting after the word "officials," the words "constitutional judicial officers,".

Fisher of Greene offered from the floor the following amendment and moved its adoption:

Amend the title to House File 1242 by striking the period at the end thereof and inserting the following: "and constitutional judicial officers."

The amendment was adopted.

Fisher of Greene moved that the House concur in the Senate amendment.

The motion prevailed and the House concurred in the Senate amendment.

Fisher of Greene moved that the bill, as amended by the Senate, further amended and concurred in by the House, be read a last time now and placed upon its repassage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1242)

The ayes were, 80:

Alt	Grassley	Middleswart	Shaw
Anania	Hamilton	Miller	Small
Andersen	Hansen	Moffitt	Sorg
Bennett	Hill	Nielsen	Stanley
Bergman	Holden	Norpel	Stokes
Blouin	Jesse	Nystrom	Strand
Bray	Johnston	Patton	Strothman
Campbell	Kehe	Pellett	Taylor
Christensen	Kelly	Pelton	Tieden
Clark	Kinley	Pierson	Trowbridge
Cochran	Knoblauch	Priebe	Uban
Curtis	Knoke	Radl	Waugh
Den Herder	Kreamer	Rex	Welden
Dougherty	Kruse	Rodgers	Wells
Drake	Larson	Roorda	Willits
Dunton	Lipsky	Schmeiser	Winkelman
Edelen	Logemann	Schroeder	Wirtz
Egenes	McCormick	Schwartz	Wyckoff
Ellsworth	McElroy	Schwieger	Mr. Speaker
Fisher, C. R.	Menefee	Scott	(Millen)
Gluba			

The nays were, 7:

Doyle	Fischer, H. O.	Husak	Skinner
Ewell	Franklin	Siglin	

Absent or not voting, 13:

Camp	Kennedy	Mendenhall	Sargisson
Freeman	Lawson	Mollett	Stromer
Goode	Mayberry	Monroe	Varley
Harbor			

The bill having received a constitutional majority was declared to have repassed the House and the title as amended was agreed to.

MESSAGE FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File 1038, a bill for an act relating to endurance contests.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File 1082, a bill for an act relating to a course for persons convicted of operating a motor vehicle under the influence of alcohol.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File 1129, a bill for an act relating to the maximum mileage payment for members of the board of supervisors.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File 1140, a bill for an act establishing a commission on the status of women.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File 1214, a bill for an act relating to funding of the merit system pay plan.

Also: That the Senate has adopted the following concurrent resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution 139, congratulating the Alta High School basketball team for winning the Class A Iowa high school basketball tournament.

Also: That the Senate has adopted the following concurrent resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 127, expressing concern with the action of the Congress of the United States in implementing the Occupational Safety and Health Act of 1970.

CARROLL A. LANE, Secretary

SENATE CONCURRENT RESOLUTION 127

By Anderson

Whereas, the Congress of the United States has enacted the Occupational Safety and Health Act of 1970 and the provisions of such Act are of questionable value in regard to the health and safety of those persons with whom it is primarily concerned; and

Whereas, the enforcing federal agencies have adopted rules and regulations to implement this law; and

Whereas, persons affected by this law are given little opportunity to comply and are confronted with rules and regulations which are difficult to interpret and implement; and

Whereas, persons affected by the Occupational Safety and Health Act of

1970 are subjected to heavy fines and penalties for violations of the law by the federal agencies charged with the responsibility of enforcing it without proper notice or consideration for businessmen; and

Whereas, the manner of enforcement of the Occupational Safety and Health Act of 1970 is placing a severe burden on businessmen which will result in many businessmen closing their businesses and cause a great amount of unemployment and bankruptcies and a decline in the economy; *Now, Therefore*,

Be It Resolved by the Senate, the House Concurring: That the General Assembly of the State of Iowa hereby expresses its concern with the action of the Congress of the United States in implementing the Occupational Safety and Health Act of 1970 and deplores the action of Congress in passing the Act without due consideration for the severe ramifications such Act will have on businessmen, employees, the public, and the economy of the United States and further deplores the methods used to enforce such legislation; and

Be It Further Resolved, That the Congress of the United States implement this law in such a manner as to give persons affected by the law adequate opportunity to comply with the requirements set out in the new law; and

Be It Further Resolved, That the federal agencies charged with the enforcement of the Occupational Safety and Health Act of 1970 be required to give proper notice and adequate time to comply with the rules and regulations adopted by the federal agencies before imposing heavy penalties and fines for violations.

Laid over under Rule 25.

ADOPTION OF THE CONFERENCE COMMITTEE REPORT
(House File 69)

Schroeder of Pottawattamie called up for consideration the report of the conference committee on **House File 69**, a bill for an act relating to errors and omissions insurance for county officers and employees, filed on March 22, 1972, and found on pages 1344 through 1347 of the House Journal, and moved the adoption of the conference committee report and the amendments contained therein.

A non-record roll call was requested.

The ayes were 70, nays 15.

The report was adopted.

Schroeder of Pottawattamie moved that the bill be read a last time now and placed upon its répassage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 69)

The ayes were, 82:

Bennett	Hansen	Middleswart	Siglin
Bergman	Harbor	Miller	Skinner
Blouin	Hill	Moffitt	Small
Bray	Holden	Nielsen	Sorg
Campbell	Husak	Norpel	Stokes
Christensen	Jesse	Nystrom	Strand
Clark	Johnston	Patton	Stromer
Cochran	Kehe	Pellett	Strothman
Curtis	Kelly	Pelton	Tieden
Den Herder	Kinley	Pierson	Trowbridge
Dougherty	Knoblauch	Priebe	Uban
Doyle	Knoke	Radl	Varley
Drake	Kreamer	Rex	Waugh
Dunton	Kruse	Rodgers	Wells
Edelen	Lawson	Roorda	Willits
Egenes	Lipsky	Schmeiser	Winkelman
Fisher, C. R.	Logemann	Schroeder	Wirtz
Franklin	McCormick	Schwartz	Wyckoff
Gluba	McElroy	Schwieger	Mr. Speaker
Grassley	Mendenhall	Scott	(Millen)
Hamilton	Menefee	Shaw	

The nays were, 8:

Anania	Ellsworth	Larson	Taylor
Andersen	Fischer, H. O.	Mayberry	Welden

Absent or not voting, 10:

Alt	Freeman	Mollett	Sargisson
Camp	Goode	Monroe	Stanley
Ewell	Kennedy		

The bill having received a constitutional majority was declared to have repassed the House and the title was agreed to.

Speaker Harbor in the chair at 3:17 p.m.

CONSIDERATION OF BILLS

SIFTING COMMITTEE CALENDAR

Senate File 163, a bill for an act relating to retirement systems for policemen and firemen, with report of committee recommending passage, was taken up for consideration.

Skinner of Polk offered the following amendment filed by Skinner, et al., and moved its adoption:

Amend Senate File 163 as follows:

By striking lines 25 through 26 and inserting in lieu thereof the following:

"eleven point six (411.6), subsection ten (10), of the Code."

Sec. 3. Section four hundred eleven point six (411.6), subsection fourteen (14), Code 1971, is amended by adding the following new paragraph:

"e. A retired member who became eligible for benefits

under the provisions of Section four hundred eleven point six (411.6), subsection one (1) but who did not serve twenty-two years and did not attain the age of fifty-five years prior to his termination of employment shall not be eligible for the annual readjustment of pensions provided for by this subsection."

By striking in line 13 the word "ten" and inserting in lieu thereof the word "fifteen".

By striking in line 16 the word "ten" and inserting in lieu thereof the word "fifteen".

By striking in lines 32 and 34 the figure "10" and inserting in lieu thereof the figure "15".

The amendment was adopted.

Lawson of Cerro Gordo offered the following amendment filed by him and moved its adoption:

Senate File 163 is amended by striking from page 2 lines 9 through 25 and inserting in lieu thereof the following:

Sec. 2. Chapter four hundred eleven (411), Code 1971, is amended by adding the following new section:

"A city may provide additional or increased benefits in excess of those provided in this chapter and shall levy a tax in the trust and agency fund in an amount sufficient to assure payment of such benefits."

A non-record roll call was requested.

The ayes were 23, nays 65.

The amendment lost.

Bray of Scott offered the following amendment from the floor:

Amend Senate File 163, page 2, by adding the following new section after line 25.

"Sec. There is hereby appropriated from the state general fund the sum of \$546,800.00 or so much thereof as is necessary to meet the increased costs to the cities occasioned by this Act. Each city having direct increases in costs due to this Act may submit a detailed statement to the state comptroller who shall disburse the appropriation on a pro rata basis by June 30, 1974, to such cities upon acceptance and verification of the statement."

Drake of Muscatine rose on a point of order that the amendment was not germane.

The Speaker ruled the point well taken.

Skinner of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 163)

The ayes were, 65:

Anania	Gluba	Millen	Skinner
Andersen	Hamilton	Miller	Small
Bennett	Hansen	Moffitt	Stanley
Blouin	Husak	Monroe	Strand
Bray	Jesse	Nielsen	Stromer
Christensen	Johnston	Norpel	Taylor
Clark	Kelly	Nystrom	Tieden
Cochran	Kennedy	Patton	Trowbridge
Curtis	Kinley	Pelton	Uban
Dougherty	Knoblauch	Rex	Varley
Doyle	Larson	Rodgers	Waugh
Drake	Lipsky	Sargisson	Wells
Dunton	Mayberry	Schmeiser	Willits
Ellsworth	McCormick	Schwartz	Winkelman
Ewell	McElroy	Schwieger	Wyckoff
Fischer, H. O.	Middleswart	Scott	Mr. Speaker
Franklin			

The nays were, 19:

Bergman	Grassley	Mendenhall	Shaw
Campbell	Holden	Pellett	Siglin
Den Herder	Kehe	Radl	Stokes
Egenes	Knoke	Roorda	Welden
Fisher, C. R.	Kruse	Schroeder	

Absent or not voting, 16:

Alt	Goode	Logemann	Priebe
Camp	Hill	Menefee	Sorg
Edelen	Kreamer	Mollett	Strothman
Freeman	Lawson	Pierson	Wirtz

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

FURTHER CONSIDERATION OF SENATE AMENDMENT (House File 1272)

Fischer of Grundy called up for further consideration House File 1272, a bill for an act relating to bonded warehouses, amended by the Senate, and moved that the House concur in the Senate amendment as amended by the House on March 21, 1972, and found on pages 1310 and 1311 of the House Journal.

The motion prevailed and the House concurred in the Senate amendment as amended.

Fischer of Grundy moved that the bill, as amended by the Senate, further amended by the House and concurred in by the

House, be read a last time now and placed upon its repassage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1272)

The ayes were, 87:

Anania	Franklin	Menefee	Scott
Andersen	Gluba	Middleswart	Siglin
Bennett	Grassley	Millen	Skinner
Bergman	Hamilton	Miller	Small
Blouin	Hansen	Moffitt	Sorg
Bray	Holden	Monroe	Stanley
Campbell	Husak	Nielsen	Stokes
Christensen	Jesse	Norpel	Strand
Clark	Johnston	Nystrom	Stromer
Cochran	Kehe	Patton	Strothman
Curtis	Kelly	Pellett	Taylor
Den Herder	Knoblauch	Pelton	Tieden
Dougherty	Knoke	Pierson	Trowbridge
Doyle	Kreamer	Priebe	Varley
Drake	Kruse	Rex	Waugh
Dunton	Larson	Rodgers	Welden
Edelen	Lawson	Roorda	Wells
Egenes	Lipsky	Sargisson	Willits
Ellsworth	Logemann	Schmeiser	Winkelman
Ewell	McCormick	Schroeder	Wyckoff
Fischer, H. O.	McElroy	Schwartz	Mr. Speaker
Fisher, C. R.	Mendenhall	Schwieger	

The nays were, 3:

Kennedy	Kinley	Uban
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Absent or not voting, 10:

Alt	Goode	Mollett	Shaw
Camp	Hill	Radl	Wirtz
Freeman	Mayberry		

The bill having received a constitutional majority was declared to have repassed the House and the title was agreed to.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Waugh of Monona for the remainder of the day by the Speaker.

SIFTING COMMITTEE NONCONTROVERSIAL CALENDAR

Senate File 1057, a bill for an act relating to exceptions to the time limits during which certain civil actions must be brought, with report of committee recommending passage, was taken up for consideration.

Egenes of Story moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 1057)

The ayes were, 67:

Anania	Grassley	Miller	Small
Andersen	Hamilton	Moffitt	Stanley
Bennett	Hansen	Monroe	Stokes
Bergman	Hill	Nielsen	Strand
Blouin	Kelly	Norpel	Stromer
Campbell	Knoblauch	Nystrom	Strothman
Clark	Knoke	Patton	Taylor
Cochran	Kruse	Pelton	Trowbridge
Curtis	Larson	Pierson	Uban
Den Herder	Lipsky	Priebe	Varley
Dougherty	Logemann	Rex	Wells
Drake	McCormick	Sargisson	Willits
Dunton	McElroy	Schmeiser	Winkelman
Egenes	Mendenhall	Schroeder	Wirtz
Ellsworth	Menefee	Schwieger	Wyckoff
Fisher, C. R.	Middleswart	Scott	Mr. Speaker
Gluba	Millen	Siglin	

The nays were, 15:

Bray	Franklin	Kennedy	Skinner
Christensen	Husak	Kinley	Sorg
Doyle	Jesse	Radl	Tieden
Ewell	Johnston	Rodgers	

Absent or not voting, 18:

Alt	Goode	Mayberry	Schwartz
Camp	Holden	Mollett	Shaw
Edelen	Kehe	Pellett	Waugh
Fischer, H. O.	Kreamer	Roorda	Welden
Freeman	Lawson		

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

HOUSE FILE 1086 WITHDRAWN

Fischer of Grundy asked and received unanimous consent to withdraw House File 1086 from further consideration by the House.

Speaker pro tempore Millen in the chair at 4:07 p.m.

House File 1198, a bill for an act relating to the appeal of a condemnation award, with report of committee recommending passage, was taken up for consideration.

Skinner of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1198)

The ayes were, 82:

Anania	Franklin	Mendenhall	Shaw
Andersen	Gluba	Menefee	Siglin
Bennett	Grassley	Middleswart	Skinner
Bergman	Hamilton	Miller	Small
Blouin	Harbor	Moffitt	Sorg
Bray	Hill	Monroe	Stanley
Campbell	Holden	Nielsen	Stokes
Christensen	Husak	Norpel	Strand
Clark	Jesse	Nystrom	Stromer
Cochran	Johnston	Patton	Strothman
Curtis	Kennedy	Pelton	Taylor
Den Herder	Kinley	Pierson	Tieden
Dougherty	Knoblauch	Priebe	Uban
Doyle	Knoke	Radl	Welden
Drake	Kreamer	Rex	Willits
Dunton	Kruse	Rodgers	Winkelman
Edelen	Lipsky	Roorda	Wirtz
Egenes	Logemann	Sargisson	Wyckoff
Ellsworth	Mayberry	Schmeiser	Mr. Speaker
Ewell	McCormick	Schwieger	(Millen)
Fisher, C. R.	McElroy	Scott	

The nays were, none.

Absent or not voting, 18:

Alt	Hansen	Mollett	Trowbridge
Camp	Kehe	Pellett	Varley
Fischer, H. O.	Kelly	Schroeder	Waugh
Freeman	Larson	Schwartz	Wells
Goode	Lawson		

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

REMOVED FROM NONCONTROVERSIAL
SIFTING COMMITTEE CALENDAR
(House File 1205)

House File 1205, a bill for an act relating to motor vehicle accident reports, with report of committee recommending passage, was taken up for consideration.

Kreamer of Polk offered the following amendment from the floor:

Amend House File 1205 as follows:

Page 1, line 12, by inserting after the word "accident," the following:

"his insurance company or its agent,".

Kreamer of Polk asked and received unanimous consent that House File 1205 be removed from the noncontroversial sifting committee calendar.

Senate File 1195, a bill for an act relating to the drawing of

grand jurors, with report of committee recommending passage, was taken up for consideration.

Knoke of Pottawattamie offered the following amendment filed by him and moved its adoption:

Amend Senate File 1195 by adding the following new section:

"Sec. 2. Section six hundred nine point twenty-five (609.25), Code 1971, as amended by chapter two hundred sixty-five (265), Acts of the Sixty-fourth General Assembly, First Session, is amended to read as follows:

609.25 GRAND JURY PANEL. A grand jury panel of twelve persons shall be drawn by the said commissioners from the grand jury box on *or before* the last secular Monday of December preceding the new calendar year, and shall be drawn in the same manner and under the same conditions, except as otherwise provided, as are specified for the drawing of said petit jury panel. Such grand jury panel shall constitute the panel from which to select the grand jurors for one year.

A majority of the judges of the district court may order a second panel of twelve persons to be drawn in like manner from which a second grand jury may be selected. Such second grand jury shall serve on matters assigned to it by the foreman of the first grand jury and it shall be served by the same clerk and staff, but otherwise it shall be governed by the same law as in the case of the original grand jury panel and grand jury."

The amendment was adopted.

Knoke of Pottawattamie moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 1195)

The ayes were, 80:

Alt	Doyle	Jesse	Middleswart
Anania	Drake	Johnston	Miller
Andersen	Edelen	Kinley	Moffitt
Bergman	Fisher, C. R.	Knoblauch	Monroe
Blouin	Franklin	Knoke	Nielsen
Bray	Gluba	Kreamer	Norpel
Campbell	Grassley	Kruse	Nystrom
Christensen	Hamilton	Larson	Patton
Clark	Hansen	Logemann	Pellett
Cochran	Harbor	McCormick	Pelton
Curtis	Hill	McElroy	Pierson
Den Herder	Holden	Mendenhall	Priebe
Dougherty	Husak	Menefee	Radl

Rex	Shaw	Stromer	Wells
Rodgers	Siglin	Strothman	Willits
Roorda	Small	Taylor	Winkelman
Sargisson	Sorg	Tieden	Wirtz
Schmeiser	Stanley	Trowbridge	Wyckoff
Schwartz	Stokes	Uban	Mr. Speaker
Schwieger	Strand	Varley	(Millen)
Scott			

The nays were, 1:

Mayberry

Absent or not voting, 19:

Bennett	Ewell	Kelly	Schroeder
Camp	Fischer, H. O.	Kennedy	Skinner
Dunton	Freeman	Lawson	Waugh
Egenes	Goode	Lipsky	Welden
Ellsworth	Kehe	Mollett	

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

Senate File 1192, a bill for an act relating to the control of dangerous substances and the board of pharmacy, with report of committee recommending passage, was taken up for consideration.

Hansen of Black Hawk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 1192)

The ayes were, 78:

Alt	Harbor	Moffitt	Skinner
Anania	Holden	Monroe	Small
Andersen	Husak	Nielsen	Sorg
Bergman	Jesse	Norpel	Stanley
Blouin	Kehe	Nystrom	Stokes
Campbell	Kelly	Patton	Strand
Christensen	Kennedy	Pelton	Stromer
Clark	Kinley	Piersen	Strothman
Cochran	Knoblauch	Priebe	Taylor
Curtis	Knoke	Radl	Tieden
Den Herder	Kruse	Rodgers	Trowbridge
Dougherty	Lipsky	Roorda	Varley
Doyle	Logemann	Sargisson	Wells
Drake	Mayberry	Schmeiser	Willits
Ellsworth	McCormick	Schroeder	Winkelman
Fisher, C. R.	McElroy	Schwartz	Wirtz
Gluba	Mendenhall	Schwieger	Wyckoff
Grassley	Menefee	Scott	Mr. Speaker
Hamilton	Middleswart	Shaw	(Millen)
Hansen	Miller	Siglin	

The nays were, 5:

Bray	Johnston	Larson	Uban
Hill			

Absent or not voting, 17:

Bennett	Ewell	Goode	Pellett
Camp	Fischer, H. O.	Kreamer	Rex
Dunton	Franklin	Lawson	Waugh
Edelen	Freeman	Mollett	Welden
Egenes			

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

Senate File 1191, a bill for an act relating to business corporations, with report of committee recommending passage, was taken up for consideration.

Hill of Polk offered the following amendment filed by him:

Amend Senate File 1191, as amended and passed by the Senate, as follows:

1. Page 5, by inserting after line 30 the following paragraph:

"Special meetings of the shareholders may be called by the president, the board of directors, the holders of not less than one-tenth of all the shares entitled to vote at the meeting, or such other officers or persons as may be provided in the articles of incorporation or the bylaws."

2. Page 6, by striking lines 7 through 16 and inserting in lieu thereof the following:

Sec. 9. Chapter four hundred ninety-six A (496A), Code 1971, is amended by adding the following new section:

LOANS TO EMPLOYEES AND DIRECTORS. A corporation shall not lend money to or use its credit to assist its directors without authorization in the particular case by its shareholders, but may lend money to and use its credit to assist any employee of the corporation or of a subsidiary including any such employee who is a director of the corporation, if the board of directors decides that such loan or assistance may benefit the corporation."

3. Page 6, by striking lines 17 through 30.

4. By renumbering the subsequent sections.

Hill of Polk asked and received unanimous consent to withdraw amendments 3 and 4, lines 26 and 27 of his amendment.

Hill of Polk moved the adoption of amendments 1 and 2, lines 1 through 25 of his amendment.

Amendments 1 and 2 were adopted.

Hill of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 1191)

The ayes were, 80:

Alt	Harbor	Miller	Shaw
Anania	Hill	Moffitt	Siglin
Andersen	Holden	Monroe	Skinner
Bergman	Husak	Norpel	Small
Blouin	Jesse	Nystrom	Sorg
Bray	Johnston	Patton	Stanley
Campbell	Kelly	Pellett	Stokes
Christensen	Kennedy	Pelton	Strand
Clark	Kinley	Pierson	Strothman
Cochran	Knoblauch	Priebe	Taylor
Curtis	Knoke	Radl	Tieden
Den Herder	Kruse	Rex	Trowbridge
Dougherty	Larson	Rodgers	Uban
Doyle	Lipsky	Roorda	Varley
Drake	Mayberry	Sargisson	Willits
Edelen	McCormick	Schmeiser	Winkelman
Ellsworth	McElroy	Schroeder	Wirtz
Fisher, C. R.	Mendenhall	Schwartz	Wyckoff
Gluba	Menefee	Schwieger	Mr. Speaker
Grassley	Middleswart	Scott	(Millen)
Hamilton			

The nays were, none.

Absent or not voting, 20:

Bennett	Fischer, H. O.	Kehe	Nielsen
Camp	Franklin	Kreamer	Stromer
Dunton	Freeman	Lawson	Waugh
Egenes	Goode	Logemann	Welden
Ewell	Hansen	Mollett	Wells

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

HOUSE FILE 1170 WITHDRAWN

Hill of Polk asked and received unanimous consent to withdraw House File 1170 from further consideration by the House.

Senate File 1171, a bill for an act related to licensing of vehicles from which food and dairy products are sold, with report of committee recommending passage, was taken up for consideration.

Strothman of Henry moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 1171)

The ayes were, 77:

Alt	Campbell	Den Herder	Ellsworth
Anania	Christensen	Dougherty	Ewell
Andersen	Clark	Doyle	Fisher, C. R.
Bergman	Cochran	Drake	Gluba
Bray	Curtis	Edelen	Grassley

Hamilton	Mayberry	Rex	Strand
Hansen	McCormick	Rodgers	Stromer
Harbor	McElroy	Sargisson	Strothman
Hill	Mendenhall	Schmeiser	Taylor
Holden	Menefee	Schroeder	Tieden
Husak	Middleswart	Schwartz	Trowbridge
Jesse	Miller	Scott	Uban
Johnston	Moffitt	Shaw	Varley
Kehe	Norpel	Siglin	Wells
Kelly	Nystrom	Skinner	Willits
Kennedy	Patton	Small	Winkelman
Kinley	Pelton	Sorg	Wyckoff
Kruse	Pierson	Stanley	Mr. Speaker
Larson	Priebe	Stokes	(Millen)
Lipsky	Radl		

The nays were, 1:

Blouin

Absent or not voting, 22:

Bennett	Freeman	Logemann	Roorda
Camp	Goode	Mollett	Schwieger
Dunton	Knoblauch	Monroe	Waugh
Egenes	Knoke	Nielsen	Weiden
Fischer, H. O.	Kreamer	Pellett	Wirtz
Franklin	Lawson		

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

Senate File 1132, a bill for an act correcting erroneous, inconsistent, and obsolete sections of the Code of Iowa, including some penalty sections, with report of committee recommending passage, was taken up for consideration.

Pelton of Clinton moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 1132)

The ayes were, 86:

Alt	Edelen	Kehe	Nielsen
Anania	Egenes	Kelly	Norpel
Andersen	Ellsworth	Kennedy	Nystrom
Bergman	Ewell	Kinley	Patton
Blouin	Fisher, C. R.	Knoblauch	Pellett
Bray	Franklin	Knoke	Pelton
Campbell	Gluba	Kruse	Pierson
Christensen	Grassley	Larson	Priebe
Clark	Hamilton	Logemann	Radl
Cochran	Hansen	McCormick	Rex
Curtis	Harbor	McElroy	Rodgers
Den Herder	Hill	Mendenhall	Roorda
Dougherty	Holden	Menefee	Sargisson
Doyle	Husak	Middleswart	Schmeiser
Drake	Jesse	Miller	Schwartz
Dunton	Johnston	Moffitt	Schwieger

Scott	Stanley	Tieden	Winkelman
Shaw	Stokes	Trowbridge	Wirtz
Siglin	Strand	Uban	Wyckoff
Skinner	Stromer	Varley	Mr. Speaker
Small	Strothman	Wells	(Millen)
Sorg	Taylor	Willits	

The nays were, none.

Absent or not voting, 14:

Bennett	Goode	Mayberry	Schroeder
Camp	Kreamer	Mollett	Waugh
Fischer, H. O.	Lawson	Monroe	Welden
Freeman	Lipsky		

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

Senate File 1038, a bill for an act relating to eminent domain, with report of committee recommending passage, was taken up for consideration.

Pierson of Mahaska moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 1038)

The ayes were, 72:

Anania	Grassley	Miller	Scott
Andersen	Hamilton	Monroe	Shaw
Bergman	Hansen	Nielsen	Siglin
Blouin	Harbor	Norpel	Skinner
Campbell	Holden	Nystrom	Stanley
Christensen	Husak	Patton	Stokes
Clark	Kehe	Pellett	Strand
Cochran	Kelly	Pierson	Stromer
Curtis	Kinley	Priebe	Strothman
Den Herder	Knoblauch	Radl	Taylor
Dougherty	Kruse	Rex	Tieden
Doyle	Larson	Rodgers	Varley
Drake	Logemann	Roorda	Wells
Dunton	McCormick	Sargisson	Willits
Ellsworth	McElroy	Schmeiser	Winkelman
Ewell	Mendenhall	Schroeder	Wyckoff
Fisher, C. R.	Menefee	Schwartz	Mr. Speaker
Franklin	Middleswart	Schwieger	(Millen)
Gluba			

The nays were, 11:

Bray	Jesse	Moffitt	Trowbridge
Edelen	Kennedy	Pelton	Uban
Hill	Knoke	Small	

Absent or not voting, 17:

Alt	Freeman	Lawson	Sorg
Bennett	Goode	Lipsky	Waugh
Camp	Johnston	Mayberry	Welden
Egenes	Kreamer	Mollett	Wirtz
Fischer, H. O.			

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

HOUSE FILE 229 WITHDRAWN

Pierson of Mahaska asked and received unanimous consent to withdraw **House File 229** from further consideration by the House.

Senate File 1206, a bill for an act relating to the method of paying state employees, with report of committee recommending passage, was taken up for consideration.

Fisher of Greene moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 1206)

The ayes were, 84:

Anania	Hamilton	Miller	Shaw
Andersen	Hansen	Moffitt	Siglin
Bergman	Harbor	Monroe	Skinner
Blouin	Hill	Nielsen	Small
Bray	Holden	Norpel	Sorg
Campbell	Husak	Nystrom	Stanley
Christensen	Jesse	Patton	Stokes
Clark	Johnston	Pellett	Strand
Cochran	Kehe	Pelton	Stromer
Curtis	Kelly	Pierson	Strothman
Den Herder	Kennedy	Priebe	Taylor
Dougherty	Kinley	Radl	Tieden
Doyle	Knoblauch	Rex	Trowbridge
Drake	Kruse	Rodgers	Varley
Dunton	Logemann	Roorda	Wells
Edelen	Mayberry	Sargisson	Willits
Egenes	McCormick	Schmeiser	Winkelman
Ellsworth	McElroy	Schroeder	Wirtz
Ewell	Mendenhall	Schwartz	Wyckoff
Fisher, C. R.	Menefee	Schwieger	Mr. Speaker
Gluba	Middleswart	Scott	(Millen)
Grassley			

The nays were, none.

Absent or not voting, 16:

Alt	Franklin	Kreamer	Mollett
Bennett	Freeman	Larson	Uban
Camp	Goode	Lawson	Waugh
Fischer, H. O.	Knoke	Lipsky	Welden

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

Senate File 1134, a bill for an act relating to the regulation of trout fishing, with report of committee recommending passage, was taken up for consideration.

Tieden of Clayton moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 1134)

The ayes were, 81:

Anania	Harbor	Moffitt	Siglin
Andersen	Hill	Monroe	Skinner
Bergman	Holden	Nielsen	Small
Blouin	Husak	Norpel	Sorg
Campbell	Jesse	Nystrom	Stanley
Clark	Johnston	Patton	Stokes
Cochran	Kehe	Pellett	Strand
Curtis	Kelly	Pelton	Stromer
Den Herder	Kennedy	Pierson	Strothman
Dougherty	Knoblauch	Priebe	Taylor
Drake	Knoke	Radl	Tieden
Dunton	Kruse	Rex	Uban
Egenes	Larson	Rodgers	Varley
Ellsworth	Logemann	Roorda	Wells
Ewell	Mayberry	Sargisson	Willits
Fisher, C. R.	McCormick	Schmeiser	Winkelman
Franklin	McElroy	Schroeder	Wirtz
Gluba	Mendenhall	Schwartz	Wyckoff
Grassley	Menefee	Schwieger	Mr. Speaker
Hamilton	Middleswart	Scott	(Millen)
Hansen	Miller		

The nays were, 3:

Doyle	Edelen	Trowbridge
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Absent or not voting, 16:

Alt	Christensen	Kinley	Mollett
Bennett	Fischer, H. O.	Kreamer	Shaw
Bray	Freeman	Lawson	Waugh
Camp	Goode	Lipsky	Welden

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

Senate File 376, a bill for an act relating to vehicle equipment requirements, with report of committee recommending passage, was taken up for consideration.

Tieden of Clayton offered the following amendment from the floor, filed by him, Husak of Tama and Christensen of Union, and moved its adoption:

Amend Senate File 376 as follows:

By inserting after line 16 the words "This subsection shall not apply to snowmobiles as defined in section 321G.1 of the Code."

The amendment was adopted.

Stromer of Hancock moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 376)

The ayes were, 79:

Alt	Hamilton	Menefee	Scott
Anania	Hansen	Middleswart	Shaw
Andersen	Harbor	Miller	Siglin
Bergman	Hill	Moffitt	Skinner
Bray	Husak	Nielsen	Sorg
Campbell	Jesse	Norpel	Stanley
Clark	Johnston	Nystrom	Stokes
Cochran	Kehe	Patton	Strand
Curtis	Kelly	Pellett	Stromer
Den Herder	Kennedy	Pelton	Strothman
Dougherty	Kinley	Pierson	Taylor
Doyle	Knoblauch	Priebe	Tieden
Drake	Knoke	Radl	Trowbridge
Dunton	Kruse	Rex	Varley
Edelen	Lipsky	Rodgers	Wells
Egenes	Logemann	Roorda	Winkelman
Ellsworth	Mayberry	Sargisson	Wirtz
Ewell	McCormick	Schroeder	Wyckoff
Fisher, C. R.	McElroy	Schwartz	Mr. Speaker
Grassley	Mendenhall	Schwieger	(Millen)

The nays were, 12:

Blouin	Gluba	Monroe	Uban
Christensen	Holden	Schmeiser	Welden
Franklin	Larson	Small	Willits

Absent or not voting, 9:

Bennett	Freeman	Kreamer	Mollett
Camp	Goode	Lawson	Waugh
Fischer, H. O.			

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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File 1196, a bill for an act relating to the planning for and conversion of Terrace Hill for use as a Governor's mansion.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File 1291, a bill for an act relating to the establishment of an office of citizens' aide, his duties, providing penalties and making an appropriation.

CARROLL A. LANE, Secretary

REPORT OF SIFTING COMMITTEE
(NONCONTROVERSIAL CALENDAR)

MR. SPEAKER: Your sifting committee begs leave to report that it had the following bills under consideration and recommends that they be placed on the sifting committee noncontroversial calendar:

- S. F. 1136 Providing financial benefits for the education of children of persons classified as prisoners of war or missing in action in Viet Nam. By Rabedeaux.
- S. F. 1210 Relating to benefits under the peace officers' retirement system. By law enforcement.
- S. F. 1194 Relating to the Iowa Probate Code. By committee on judiciary.

VARLEY of Adair, Chairman

REPORT OF SIFTING COMMITTEE

MR. SPEAKER: Your sifting committee begs leave to report that it had the following bill under consideration and recommends that it be placed on the sifting committee calendar:

- S. F. 1059 Relating to the authority of merged areas to borrow money in anticipation of the collection of a voted tax for school facilities. By Gross.

VARLEY of Adair, Chairman

ADOPTION OF HOUSE CONCURRENT RESOLUTION 137

Strothman of Henry called up for consideration **House Concurrent Resolution 137**, filed on March 16, 1972, and found on pages 1246 and 1247 of the House Journal, and moved its adoption.

The motion prevailed and the resolution was adopted.

CONSIDERATION OF BILLS

NONCONTROVERSIAL SIFTING COMMITTEE CALENDAR

Drake of Muscatine asked and received unanimous consent to take up for immediate consideration **Senate File 1136**, a bill for an act providing financial benefits for the education of children of persons classified as prisoners of war or missing in action in Viet Nam.

Drake of Muscatine moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 1136)

The ayes were, 87:

Alt	Freeman	Middleswart	Shaw
Anania	Gluba	Miller	Siglin
Andersen	Grassley	Moffitt	Skinner
Bergman	Hansen	Monroe	Small
Blouin	Harbor	Nielsen	Sorg
Bray	Hill	Norpel	Stanley
Campbell	Holden	Nystrom	Stokes
Christensen	Husak	Patton	Strand
Clark	Kehe	Pellett	Stromer
Cochran	Kelly	Pelton	Strothman
Curtis	Kennedy	Pierson	Taylor
Den Herder	Kinley	Priebe	Tieden
Dougherty	Knoblauch	Radl	Trowbridge
Doyle	Kreamer	Rex	Varley
Drake	Kruse	Rodgers	Welden
Dunton	Larson	Roorda	Wells
Edelen	Lipsky	Sargisson	Willits
Egenes	Logemann	Schmeiser	Winkelman
Ellsworth	McCormick	Schroeder	Wirtz
Fischer, H. O.	McElroy	Schwartz	Wyckoff
Fisher, C. R.	Mendenhall	Schwieger	Mr. Speaker
Franklin	Menefee	Scott	(Millen)

The nays were, none.

Absent or not voting, 13:

Bennett	Hamilton	Knoke	Mollett
Camp	Jesse	Lawson	Uban
Ewell	Johnston	Mayberry	Waugh
Goode			

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

**REMOVED FROM NONCONTROVERSIAL
SIFTING COMMITTEE CALENDAR
(Senate File 1210)**

Roorda of Jasper asked and received unanimous consent to take up for immediate consideration Senate File 1210, a bill for an act relating to benefits under the peace officers' retirement system.

Doyle of Woodbury offered the following amendment filed by Doyle, Anania, Pierson, Curtis, Sargisson and Rodgers:

Amend Senate File 1210 as passed and amended by the Senate as follows:

1. Page 2, by inserting the following new sections before line 1:

Section 1. Section ninety-seven A point six (97A.6), subsection one (1), paragraph "a", Code 1971, is amended to read as follows:

a. Any member in service may retire upon his written application to the board of trustees, setting

forth at what time, not less than thirty nor more than ninety days subsequent to the execution and filing therefor, he desires to be retired, provided, that the said member at the time so specified for his retirement shall have attained the age of [fifty-five] *fifty* and shall have completed twenty-two years or more of creditable service, and notwithstanding that, during such period of notification, he may have separated from the service.

Sec. 2. Section ninety-seven A point six (97A.6), subsections four (4), six (6), and seven (7), Code 1971, are amended to read as follows:

4. ALLOWANCE ON ORDINARY DISABILITY RETIREMENT.

Upon retirement for ordinary disability a member shall receive a service retirement allowance if he has attained the age of [fifty-five] *fifty*, otherwise he shall receive an ordinary disability retirement allowance which shall consist of:

a. An annuity which shall be the actuarial equivalent of his accumulated contributions at the time of retirement; and

b. A pension which together with his annuity shall make a total retirement allowance equal to ninety percent of one-seventieth of his average final compensation multiplied by the number of years of membership service, if such retirement allowance exceeds one-half of his average final compensation, otherwise a pension which together with his annuity shall provide a total retirement allowance equal to one-half of his average final compensation.

6. RETIREMENT AFTER ACCIDENT. Upon retirement for accidental disability a member shall receive a service retirement allowance if he has attained the age of [fifty-five] *fifty*, otherwise he shall receive an accidental disability retirement allowance which shall consist of:

a. An annuity which shall be the actuarial equivalent of his accumulated contributions at the time of his retirement; and

b. A pension, in addition to the annuity, of sixty-six and two-thirds percent of his average final compensation.

7. RE-EXAMINATION OF BENEFICIARIES RETIRED ON ACCOUNT OF DISABILITY. Once each year during the first five years following the retirement of a member on a disability retirement allowance, and once in every three-year period thereafter, the board of trustees may, and upon his application shall, require any disability beneficiary who has not yet attained age [fifty-five] *fifty* to undergo a medical examination at a place designated by the medical board. Such examination shall be made by the medical board or in special cases, by an additional physician or physicians designated by such board. Should any

disability beneficiary who has not attained the age of [fifty-five] *fifty* refuse to submit to such medical examination, his allowance may be discontinued until his withdrawal of such refusal, and should his refusal continue for one year all rights in and to his pension may be revoked by the board of trustees.

a. Should any beneficiary for disability not incurred in line of duty, be engaged in a gainful occupation paying more than the difference between his retirement allowance and his average final compensation, then the amount of his pension shall be reduced to an amount which together with his annuity and the amount earned by him shall equal the amount of his average final compensation. Should his earning capacity be later changed, the amount of his pension may be further modified, provided, that the new pension shall not exceed the amount of the pension originally granted nor an amount which, when added to the amount earned by the beneficiary together with his annuity, equals the amount of his average final compensation. A beneficiary restored to active service at a salary less than the average final compensation upon the basis of which he was retired at age [fifty-five] *fifty* or greater, shall not again become a member of the retirement system and shall have his retirement allowance suspended while in active service.

b. Should a disability beneficiary under age [fifty-five] *fifty* be restored to active service at a compensation not less than his average final compensation, his retirement allowance shall cease, he shall again become a member and he shall contribute thereafter at the same rate he paid prior to disability, and any former service on the basis of which his service was computed at the time of his retirement shall be restored to full force and effect and upon his subsequent retirement he shall be credited with all his service as a member, and also with the period of disability retirement, provided that during such period of disability he has not engaged in a gainful occupation from which his net earnings exceeded the difference between his disability retirement allowance and the amount he would have received for said period if his compensation at the time of disability has continued.

c. The commissioner of public safety may, subject to approval of the medical board, assign any former member of the division of highway safety and uniformed force or the division of criminal investigation and bureau of identification who is retired and drawing a pension for disability under the provisions of this chapter, to the performance of light duties in such division.

2. By renumbering the bill sections to conform to this amendment.

Holden of Scott rose on a point of order that the amendment was not germane.

The Speaker ruled the point not well taken.

Doyle of Woodbury moved the adoption of the Doyle, et al., amendment.

Roll call was requested by Rodgers of Dallas and Doyle of Woodbury.

On the question "Shall the amendment be adopted?"

The ayes were, 64:

Alt	Hansen	Miller	Scott
Anania	Husak	Moffitt	Siglin
Andersen	Jesse	Monroe	Skinner
Bergman	Johnston	Nielsen	Stanley
Blouin	Kehe	Norpel	Strand
Christensen	Kelly	Nystrom	Strothman
Cochran	Kennedy	Patton	Taylor
Curtis	Kinley	Pierson	Tieden
Den Herder	Knoblauch	Priebe	Trowbridge
Dougherty	Kruse	Rex	Wells
Doyle	Larson	Rodgers	Willits
Ellsworth	McCormick	Roorda	Winkelman
Ewell	McElroy	Sargisson	Wirtz
Fischer, H. O.	Mendenhall	Schmeiser	Wyckoff
Fisher, C. R.	Menefee	Schwartz	Mr. Speaker
Franklin	Middleswart	Schwieger	(Millen)
Freeman			

The nays were, 22:

Bray	Harbor	Pelton	Sorg
Campbell	Hill	Radl	Stokes
Clark	Holden	Schroeder	Uban
Egenes	Knoke	Shaw	Varley
Gluba	Kreamer	Small	Welden
Grassley	Pellett		

Absent or not voting, 14:

Bennett	Edelen	Lipsky	Mollett
Camp	Goode	Logemann	Stromer
Drake	Hamilton	Mayberry	Waugh
Dunton	Lawson		

The amendment was adopted.

**OBJECTION TO SENATE FILE 1210
ON NONCONTROVERSIAL CALENDAR**

We, the following members, request that Senate File 1210 be removed from the noncontroversial calendar.

SHAW of Scott
KNOKE of Pottawattamie
SCHROEDER of Pottawattamie
VARLEY of Adair
LIPSKY of Linn

Blouin of Dubuque moved that the rules be suspended for the further consideration of Senate File 1210.

Roll call was requested by Johnston of Johnson and Skinner of Polk.

On the question "Shall the rules be suspended for the further consideration of Senate File 1210?"

The ayes were, 44:

Anania	Franklin	Middleswart	Schmeiser
Andersen	Freeman	Miller	Schwartz
Blouin	Gluba	Monroe	Scott
Bray	Husak	Nielsen	Skinner
Cochran	Jesse	Norpel	Small
Den Herder	Johnston	Patton	Strand
Dougherty	Kennedy	Pierson	Taylor
Doyle	Kinley	Priebe	Uban
Ellsworth	Knoblauch	Rodgers	Wells
Ewell	Larson	Roorda	Willits
Fisher, C. R.	McCormick	Sargisson	Wyckoff

The nays were, 48:

Alt	Harbor	Nystrom	Stokes
Bergman	Hill	Pellet	Stromer
Campbell	Holden	Pelton	Strothman
Christensen	Kehe	Radl	Tieden
Clark	Knoke	Rex	Trowbridge
Curtis	Kreamer	Schroeder	Varley
Edelen	Lipsky	Schwieger	Welden
Egenes	McElroy	Shaw	Winkelman
Fischer, H. O.	Mendenhall	Siglin	Wirtz
Grassley	Menefee	Sorg	Mr. Speaker
Hansen	Moffitt	Stanley	(Millen)

Absent or not voting, 18:

Bennett	Goode	Kruse	Mayberry
Camp	Hamilton	Lawson	Mollett
Drake	Kelly	Logemann	Waugh
Dunton			

The motion lost.

**REMOVED FROM NONCONTROVERSIAL
SIFTING COMMITTEE CALENDAR
(Senate File 1003)**

Senate File 1003, a bill for an act relating to support payments as the result of dissolution of marriage, with report of committee recommending passage, was taken up for consideration.

Pelton of Clinton offered the following amendment filed by Camp of Clinton:

Amend Senate File 1003, as amended and passed by the Senate and reprinted, as follows:

1. By inserting after line 3, the following:

Section 1. Section two hundred thirty-nine point five (239.5), Code 1971, is amended by adding the following new paragraph:

"The county attorney shall prepare an itemized statement of the amount of his salary and expenses of his office, including the salary and expense of other persons employed by him, which is attributable to collection of support money as provided in this section. Annually, the county board of supervisors shall review the itemized statement, and if it finds the statement correct shall submit it to the state director, who shall cause the county to be paid from the aid to dependent children fund an amount which is a percentage of the total amount attributable to collection of support payments, equal to the percentage contributed by the state to total aid to dependent children payments."

Sec. 2. Section two hundred forty-nine point twenty-seven (249.27), Code 1971, is amended by adding the following new paragraph:

"The county attorney of each county shall prepare an itemized statement of the amount of his salary and expenses of his office, including the salary and expenses of other persons employed by him, which is attributable to collection of support for an applicant or recipient of assistance, as provided in this section. Annually, the county board of supervisors shall review the itemized statement, and if it finds the statement correct shall submit it to the state director, who shall cause the county to be paid from the old-age assistance fund an amount which is a percentage of the total amount attributable to collection of support, equal to the percentage contributed by the state to total old-age assistance payments."

2. Page 1, line 4, by striking the word and numeral "Section 1." and inserting in lieu thereof "Sec. 3."

3. Page 1A by inserting after line 29, the following new section:

Sec. 4. Section five hundred ninety-eight point thirty-four (598.34), Code 1971, is amended by adding the following new paragraph:

"The county attorney of each county shall prepare an itemized statement of the amount of his salary and expenses of his office, including the salary and expense of other persons employed by him, which is attributable to collection of support payments as provided in this section. Annually, the county board of supervisors shall review the itemized statement, and if it finds the statement correct shall submit it to the director of the division of child and family services of the department of social services, who shall cause the county to be paid from the aid to dependent children fund an amount which is a percentage of the total amount attributable to collection of support payments, equal to the percentage contributed

by the state to total aid to dependent children payments."

Pelton of Clinton offered the following amendment to the amendment filed by Camp of Clinton:

Amend the Camp amendment filed February 23, 1972, to Senate File 1003 as amended, passed, and reprinted by the Senate, as follows:

1. Line 20, after the period, insert the words "However, during the biennium ending June 30, 1973, the director shall cause the county to be paid, so far as possible, from the amount appropriated to the department of social services for child support recoveries, as provided in chapter sixty-five (65), section one (1), subsection five (5), Acts of the Sixty-fourth General Assembly, First Session."

2. Line 60, after the period, insert the words "However, during the biennium ending June 30, 1973, the director shall cause the county to be paid, so far as possible, from the amount appropriated to the department of social services for child support recoveries, as provided in chapter sixty-five (65), section one (1), subsection five (5), Acts of the Sixty-fourth General Assembly, First Session."

OBJECTION TO SENATE FILE 1003 ON NONCONTROVERSIAL CALENDAR

We, the following members, request that Senate File 1003 be removed from the noncontroversial calendar.

SKINNER of Polk
JOHNSTON of Johnson
WILLITS of Polk
KENNEDY of Chickasaw
BLOUIN of Dubuque

REPORT OF THE CONFERENCE COMMITTEE ON HOUSE FILE 1156

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to consider the difference between the Senate and the House of Representatives on House File 1156, a bill for an act creating an Iowa world exposition authority, and specifying its purposes, powers, and responsibilities, respectfully submit the following recommendations:

1. That the House of Representatives recede from its amendment to the Senate amendment.
2. That the Senate recede from its amendment to House File 1156, as amended and passed by the House of Representatives.
3. That House File 1156, as amended and passed by the House of Representatives be amended as follows:

a. Page 2, line 7, by striking the word "eleven" and inserting in lieu thereof the word "nine".

b. Page 2, line 9, by striking the word "Four" and inserting in lieu thereof the word "Five".

c. Page 2, by striking lines 17 through 21, inclusive.

d. Page 2, by striking lines 42 through 45, inclusive, and inserting in lieu thereof the following:

"Each member is entitled to receive his actual and necessary expenses and forty dollars compensation for each day spent in performance of authority duties."

e. Page 3, by striking lines 12 through 17, inclusive, and inserting in lieu thereof the following new paragraph:

"The plan for the financing and acquisition of land for the exposition shall be approved by the executive council prior to any action on the financing and acquisition of land by the authority. Not later than thirty days from the date of the convening of the Sixty-fifth General Assembly, the plan for the development and financing of the exposition shall be submitted to the general assembly. The report shall also include any recommendations concerning the feasibility studies authorized by this section."

f. Page 3, line 43, by inserting after the period the following new sentence:

"The authority shall consider each bid of real estate offered in this state as a possible site for the exposition before making the final site selection prior to a deadline to be set by the executive council."

g. Page 4, by striking lines 17 through 19, inclusive.

h. Page 6, by inserting after line 4 the following new paragraph:

"The real property upon which any such buildings, structures, or improvements are placed shall be valued, assessed, placed upon the tax rolls and be taxed as provided by law. Notwithstanding the provisions of section four hundred twenty-seven point one (427.1) of the Code, all personal property of the authority, and all buildings, structures, and improvements placed on such land, shall be valued, assessed, placed upon the tax rolls and be taxed as provided by law from and after January 1, 1978."

i. Renumber sections and correct internal references as are necessary in accordance with this amendment.

On the part of the Senate:

CHARLES O. LAVERTY, Chairman
R. DEAN ARBUCKLE
C. JOSEPH COLEMAN
RUDY VAN DRIE

On the part of the House:

IVOR W. STANLEY, Chairman
DON D. ALT
BERL E. PRIEBE
WILLIAM P. WINKELMAN

REPORTS OF COMMITTEE

Welden of Hardin, from the committee on appropriations, submitted the following reports:

MR. SPEAKER: Your committee on appropriations, to whom was referred **Senate File 1189**, a bill for an act relating to the use and method of allocating funds appropriated for programs administered by the Iowa commission

on alcoholism and making an appropriation, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

Amend Senate File 1189, page 3, by adding thereto the following new section:

"Sec. 2. Chapter one hundred thirty-one (131), section fifty-three (53), Acts of the Sixty-fourth General Assembly, First Session, is amended by adding the following new subsection:

a. There is appropriated to the Iowa commission on alcoholism, established in chapter one hundred twenty-three A (123A) of the Code, from the beer and liquor control fund a sum of money equal to three percent of the net profit from the sale of alcoholic liquors and beer and from the issuance of permits and licenses. When the state comptroller transfers moneys from the beer and liquor control fund to the general fund pursuant to subsection two (2) of this section, he shall transfer the moneys provided in this subsection to the Iowa commission on alcoholism.

b. The Iowa commission on alcoholism shall distribute the moneys provided in this subsection to those counties which participate in programs approved by the commission for the treatment and rehabilitation of alcoholics, pursuant to the provisions of chapter one hundred twenty-three B (123B) of the Code. The moneys shall be distributed on a per capita basis in the proportion that the population of each eligible county is to the population of all eligible counties in the state, according to the latest federal decennial census. The moneys shall be paid quarterly to the county treasurers of each eligible county, and the board of supervisors of each eligible county shall submit an annual statement showing the expenditure of the funds, for review by the Iowa commission on alcoholism.

c. The provisions of section eight point thirty-three (8.33) of the Code apply to the moneys appropriated in this subsection, except that unencumbered or unobligated balances shall revert to the general fund of the state.

d. The provisions of this subsection shall become effective July 1, 1973."

WELDEN of Hardin, Ranking Member

Also:

MR. SPEAKER: Your committee on appropriations, to whom was referred Senate File 1203, a bill for an act making an appropriation from the general fund of the state to the department of public defense for various capital improvements, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same do pass.

WELDEN of Hardin, Ranking Member

COMMUNICATION FROM THE SECRETARY OF STATE

March 23, 1972

Mr. William R. Kendrick
Chief Clerk of the House
State Capitol Building
Des Moines, Iowa 50319

I hereby certify that Senate File 1069 was published in The Record, Cedar Falls, Iowa, March 14, 1972, and in the Waterloo Daily Courier, Waterloo, Iowa, March 15, 1972.

Respectfully submitted,
MELVIN D. SYNHORST
Secretary of State

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Miller of Marshall, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: House Files 107, 671, 1011, 1141, 1147, 1203 and 1269.

ELIZABETH R. MILLER
Chairman, House Committee
JOHN C. RHODES
Chairman, Senate Committee

Report adopted.

BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House the following bill: House Files 107, 671, 1011, 1141, 1147, 1203 and 1269.

BILLS SENT TO THE GOVERNOR

Miller of Marshall, from the committee on enrolled bills, submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this 23rd day of March, 1972, sent to the Governor for his approval: House Files 107, 671, 1011, 1141, 1147, 1203 and 1269.

ELIZABETH R. MILLER, Chairman

Report adopted.

AMENDMENTS FILED

- 1 Amend Senate File 1189, as amended and passed by
- 2 the Senate, as follows:
- 3 1. By striking everything after the enacting
- 4 clause and inserting in lieu thereof the following:

5 "Section 1. Chapter one hundred thirty-one (131),
6 section fifty-three (53), subsection three (3), Acts
7 of the Sixty-fourth General Assembly, First Session,
8 is amended by striking the subsection and inserting
9 in lieu thereof the following:

10 3. The treasurer of state shall semiannually dis-
11 tribute a sum of money equal to ten percent of the
12 gross sales made by the state liquor stores in amounts
13 as follows:

14 a. Nine percent thereof to the cities and towns of
15 the state. Such amount shall be distributed to the
16 cities and towns of the state in proportion to the
17 population that each incorporated city or town bears
18 to the total population of all incorporated cities and
19 towns of the state as computed by the latest federal
20 census. A city or town may have one special federal
21 census taken each decade, and the population figure
22 thus obtained shall be used in apportioning amounts
23 under this subsection beginning the calendar year
24 following the year in which the special census is cer-
25 tified by the secretary of state. Such apportionment
26 shall be made semiannually as of July first and Janu-
27 ary first of each year. Warrants for the same shall
28 be issued by the state comptroller upon certification
29 of the treasurer of state and mailed to the city clerk
30 of each incorporated city and town of the state and
31 shall be made payable to such incorporated city or town
32 and shall be subject to expenditure under the direction
33 of the city council or other governing bodies of such
34 incorporated city or town for any lawful municipal
35 purpose. It shall be a lawful municipal purpose for
36 cities and towns to allocate a portion of the above
37 funds for the purpose of financing the activities of a
38 city or town commission or committee on alcoholism,
39 such commission or committee to be appointed by the
40 mayor or by the council or both. The commission or
41 committee may use any funds so allocated for the treat-
42 ment, rehabilitation, and education of alcoholics in
43 Iowa.

44 b. One percent thereof shall be allocated and paid
45 quarterly to each county treasurer of those counties
46 which participate in alcohol rehabilitation programs
47 by agreement with the alcoholism service center for
48 their area, and of those counties which have approval
49 of the Iowa commission on alcoholism for the imple-
50 mentation of alcoholic procedures and services.

51 The funds shall be distributed in an amount deter-
52 mined by dividing the total population of each county
53 by the total population of the state according to the
54 latest federal decennial census.

55 c. Revenues allocated and paid pursuant to the pro-
56 visions of paragraph b of this subsection shall be used
57 for the following purposes:

58 (1) The rehabilitation of alcoholics pursuant to
59 the provisions of chapter one hundred twenty-three B

60 (123B) of the Code.

61 (2) The implementation of new alcoholic treatment
62 procedures and services, pursuant to the provision of
63 chapter one hundred twenty-three B (123B) of the Code.

64 The expenditure of funds by county boards of super-
65 visors shall be reviewed by the Iowa commission on
66 alcoholism.

67 d. The provisions of section eight point thirty-
68 three (8.33) of the Code shall apply to the funds dis-
69 tributed pursuant to paragraph a of this subsection,
70 and such funds shall revert to the general fund of the
71 state.

72 Sec. 2. The effective date of this Act shall be
73 July 1, 1973."

74 2. Amend the title, page 1, line 3, by striking
75 the words "and making an appropriation".

SCHROEDER of Pottawattamie
HOLDEN of Scott
KNOKE of Pottawattamie
KRUSE of O'Brien
DEN HERDER of Sioux
ROORDA of Jasper
MOFFITT of Appanoose
McELROY of Fremont
LOGEMANN of Worth

1 Amend Senate File 1189 as amended and passed by
2 the Senate as follows:

3 1. By striking on page 1 lines 5 through 25,
4 lines 1 through 39 on page 2, and lines 1 through
5 12 on page 3.

6 2. By renumbering internal references to
7 conform with the provisions of this amendment.

HOLDEN of Scott

1 Amend the Lipsky and Campbell amendment to Senate
2 File 1203 as passed by the Senate filed March 15 as
3 follows:

4 1. By striking in line 8 the words "under the direction
5 of" and inserting in lieu thereof the word "within".

6 2. By striking in line 16 the words "request of the
7 governor," and inserting in lieu thereof the words "order
8 of the governor at the request of the".

LIPSKY of Linn

1 Amend the Lipsky and Campbell amendment to
2 Senate File 1203 as passed by the Senate filed
3 March 15 as follows:

4 1. By striking in line 7 the word "establish"
5 and inserting in lieu thereof the words "develop
6 a plan".

7 2. Line 14, by inserting after the word "shall"
8 the words "be requested to".

9 3. By striking in line 16 the words "at the"

10 and inserting in lieu thereof the words "when
11 the plan is implemented on".

VARLEY of Adair

1 Amend Senate File 1203, as passed by the Senate,
2 line 14, by adding the following new sentence:
3 "The department of public defense shall give
4 first consideration to establishing any helicopter
5 facilities under this Act in those counties whose
6 law enforcement agencies acquire helicopters for the
7 purpose of improving law enforcement."

BRAY of Scott
GLUBA of Scott

On motion by Varley of Adair, the House adjourned until
9:00 a.m., Friday, March 24, 1972.

JOURNAL OF THE HOUSE

Seventy-fifth Calendar Day—Fifty-fifth Session Day

HALL OF THE HOUSE OF REPRESENTATIVES
DES MOINES, IOWA, FRIDAY, MARCH 24, 1972

The House met pursuant to adjournment, Speaker Harbor in the chair.

Prayer was offered by the Reverend C. C. Glenn, pastor of the New Virginia Christian Church, New Virginia, Iowa.

The Journal of Thursday, March 23, 1972 was approved.

LEGISLATIVE PHYSICIANS FOR THE DAY

Dr. Vern Schlaser, Des Moines, Iowa.

Dr. George Kern, Des Moines, Iowa.

Dr. Charles Peterson, Des Moines, Iowa.

Dr. Dennis Walter, Des Moines, Iowa.

LEAVES OF ABSENCE

Leave of absence was granted as follows:

Camp of Clinton by the Speaker; Freeman of Buena Vista for the morning by the Speaker; Waugh of Monona by the Speaker.

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Three students from New London Community School, New London, Iowa, accompanied by Mrs. Fred Strothman. By Strothman of Henry.

Ten government class students from Perry High School, Perry, Iowa, accompanied by John D. Turner. By Rodgers of Dallas.

Eleven Girl Scouts from Coralville, Iowa, accompanied by Mrs. Epley. By Small of Johnson.

BIRTHDAY CONGRATULATIONS

Rodgers of Dallas rose on a point of personal privilege and on behalf of the House extended to the Honorable George N. Pierson a "Happy Birthday."

ADOPTION OF COMMITTEE REPORTS

The Chief Clerk announced the adoption of reports of committees on Senate Files 1189 and 1203, under Rule 35.

CONSIDERATION OF BILLS

SIFTING COMMITTEE NONCONTROVERSIAL CALENDAR

Senate File 1194, a bill for an act relating to the Iowa Probate Code, with report of committee recommending passage was taken up for consideration.

Pelton of Clinton asked and received unanimous consent to withdraw the amendment filed by him on March 22, 1972, and found on pages 1348 through 1355 of the House Journal.

Pelton of Clinton moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 1194)

The ayes were, 82:

Alt	Fisher, C. R.	Menefee	Schwieger
Anania	Franklin	Middleswart	Scott
Andersen	Gluba	Millen	Small
Bergman	Grassley	Miller	Sorg
Blouin	Hamilton	Moffitt	Stanley
Bray	Hansen	Monroe	Stokes
Campbell	Hill	Nielsen	Strand
Christensen	Holden	Norpel	Stromer
Clark	Husak	Nystrom	Strothman
Cochran	Jesse	Pellett	Taylor
Curtis	Johnston	Pelton	Tieden
Den Herder	Kehe	Pierson	Trowbridge
Dougherty	Kennedy	Priebe	Uban
Doyle	Knoblauch	Radl	Varley
Drake	Knoke	Rex	Welden
Dunton	Kreamer	Rodgers	Wells
Edelen	Kruse	Roorda	Willits
Egenes	Lipsky	Sargisson	Winkelman
Ellsworth	Logemann	Schmeiser	Wyckoff
Ewell	McCormick	Schwartz	Mr. Speaker
Fischer, H. O.	McElroy		

The nays were, none:

Absent or not voting, 18:

Bennett	Kinley	Mollett	Siglin
Camp	Larson	Patton	Skinner
Freeman	Lawson	Schroeder	Waugh
Goode	Mayberry	Shaw	Wirtz
Kelly	Mendenhall		

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

Millen of Van Buren in the chair at 9:30 a.m.

SIFTING COMMITTEE CALENDAR

Senate File 1059, a bill for an act relating to the authority of merged areas to borrow money in anticipation of the collection of a voted tax for school facilities, with report of committee recommending passage was taken up for consideration.

Kreamer of Polk offered the following amendment filed by Kreamer-Millen-Hansen-Kennedy-Radl-Skinner:

Amend Senate File 1059, as amended and passed by the Senate, by adding the following new section:

"Sec. No funds obtained under the authority of this Act shall be used to expand the curriculum of an area vocational school in order for such area vocational school within a merged area to qualify as an area community college; nor shall the board of any merged area, through funds obtained under the authority of this Act, approve the establishment of any additional attendance centers which offer liberal arts, pre-professional, or other instruction partially fulfilling the requirements for a baccalaureate degree."

Welden of Hardin rose on a point of order that the amendment was not germane.

The Speaker propounded the question to the House; "Is the Kreamer, et al., amendment germane to the bill?"

Roll call was requested by Pierson of Mahaska and Kreamer of Polk.

The ayes were, 58:

Alt	Clark	Holden	Larson
Anania	Curtis	Husak	Mendenhall
Andersen	Den Herder	Jesse	Menefee
Bennett	Dougherty	Johnston	Middleswart
Bergman	Egenes	Kennedy	Norpel
Blouin	Gluba	Knoblauch	Nystrom
Bray	Hamilton	Knoke	Pellett
Campbell	Hansen	Kreamer	Pelton
Christensen	Hill	Kruse	Pierson

Priebe	Schwieger	Stokes	Varley
Radl	Shaw	Strand	Winkelman
Rodgers	Siglin	Strothman	Wyckoff
Roorda	Small	Taylor	Mr. Speaker
Schroeder	Sorg	Tieden	(Millen)
Schwartz	Stanley	Trowbridge	

The nays were, 30:

Cochran	Kehe	Miller	Scott
Doyle	Kelly	Moffitt	Stromer
Drake	Lawson	Monroe	Uban
Dunton	Lipsky	Nielsen	Welden
Ellsworth	Logemann	Rex	Wells
Ewell	Mayberry	Sargisson	Willits
Fisher, C. R.	McCormick	Schmeiser	Wirtz
Franklin	McElroy		

Absent or not voting, 12:

Camp	Freeman	Harbor	Patton
Edelen	Goode	Kinley	Skinner
Fischer, H. O.	Grassley	Mollett	Waugh

The motion prevailed and the amendment is germane.

Varley of Adair moved the previous question on Senate File 1059 and all amendments and motions filed thereto.

A non-record roll call was requested.

The ayes were 55, nays, 24.

The motion prevailed.

Clark of Lee offered the following amendment to the amendment from the floor and moved its adoption:

Amend the Kreamer, et al., amendment to Senate File 1059, filed March 23, 1972, line 10, by inserting after the word "centers" the words "in excess of 15 miles from an existing facility".

The amendment to the amendment lost.

Kreamer of Polk moved the adoption of the Kreamer, et al., amendment.

Roll call was requested by Kreamer of Polk and Kennedy of Chickasaw.

On the question "Shall the Kreamer, et al., amendment be adopted?"

The ayes were, 50:

Alt	Campbell	Dougherty	Hansen
Andersen	Christensen	Edelen	Hill
Bergman	Clark	Egenes	Holden
Blouin	Curtis	Fischer, H. O.	Husak
Bray	Den Herder	Gluba	Johnston

Kennedy	Norpel	Roorda	Strand
Kreamer	Nystrom	Schwieger	Strothman
Kruse	Pellett	Shaw	Taylor
Larson	Pelton	Siglin	Tieden
McCormick	Pierson	Skinner	Wyckoff
Mendenhall	Radl	Small	Mr. Speaker
Menefee	Rex	Stanley	(Millen)
Middleswart	Rodgers	Stokes	

The nays were, 40:

Anania	Hamilton	Miller	Sorg
Bennett	Kehe	Moffitt	Stromer
Cochran	Kelly	Monroe	Trowbridge
Doyle	Kinley	Nielsen	Uban
Drake	Knoblauch	Priebe	Varley
Dunton	Knoke	Sargisson	Welden
Ellsworth	Lipsky	Schmeiser	Wells
Ewell	Logemann	Schroeder	Willits
Fisher, C. R.	Mayberry	Schwartz	Winkelman
Franklin	McElroy	Scott	Wirtz

Absent or not voting, 10:

Camp	Grassley	Lawson	Patton
Freeman	Harbor	Mollett	Waugh
Goode	Jesse		

The amendment was adopted.

Speaker Harbor in the chair at 11:10 a.m.

Monroe of Des Moines offered the following Monroe-Schmeiser-Welden-Rex amendment, from the floor and moved its adoption:

Amend Senate File 1059, as passed by the Senate, page 3, line 12 by striking the words "or without".

A non-record roll call was requested.

The ayes were 49, nays 35.

The amendment was adopted.

Curtis of Cherokee moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 1059)

The ayes were, 86:

Alt	Cochran	Fisher, C. R.	Kehe
Anania	Curtis	Franklin	Kelly
Andersen	Den Herder	Gluba	Kennedy
Bennett	Dougherty	Grassley	Knoblauch
Bergman	Doyle	Hamilton	Knoke
Blouin	Drake	Hansen	Kreamer
Bray	Edelen	Hill	Kruse
Campbell	Egenes	Holden	Larson
Christensen	Ellsworth	Husak	Logemann
Clark	Fischer, H. O.	Johnston	Mayberry

McCormick	Pelton	Scott	Taylor
McElroy	Pierson	Shaw	Tieden
Mendenhall	Priebe	Siglin	Trowbridge
Menefee	Radl	Skinner	Varley
Middleswart	Rex	Small	Welden
Millen	Rodgers	Sorg	Wells
Miller	Roorda	Stanley	Willits
Monroe	Sargisson	Stokes	Winkelman
Nielsen	Schmeiser	Strand	Wirtz
Norpel	Schroeder	Stromer	Wyckoff
Nystrom	Schwartz	Strothman	Mr. Speaker
Pellett	Schwieger		

The nays were, 5:

Dunton	Lipsky	Moffitt	Uban
Ewell			

Absent or not voting, 9:

Camp	Jesse	Lawson	Patton
Freeman	Kinley	Mollett	Waugh
Goode			

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

HOUSE FILE 1095 WITHDRAWN

Curtis of Cherokee asked and received unanimous consent to withdraw House File 1095 from further consideration by the House.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has adopted the following joint resolution in which the concurrence of the Senate was asked:

House Joint Resolution 8, repealing the prohibition against lotteries.

Also: That the Senate has adopted the conference committee report and the amendments contained therein and passed the following bill:

House File 734, a bill for an act relating to junkyards along interstate and federal primary highways.

Also: That the Senate has adopted the conference committee report and the amendments contained therein and passed the following bill:

House File 1156, a bill for an act creating an Iowa world exposition authority.

CARROLL A. LANE, Secretary

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Priebe of Kossuth for the remainder of the day by the Speaker.

CONFERENCE COMMITTEE REPORT ADOPTED
(House File 734)

Welden of Hardin called up for consideration the report of the conference committee on House File 734, a bill for an act relating to the state's compliance with the federal highway beautification act regarding junkyards and board standards, and providing penalties, as follows:

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to consider the differences between the Senate and the House of Representatives on House File 734, a bill for an act relating to the state's compliance with the federal highway beautification act regarding junkyards and billboard standards, and providing penalties, respectfully submit the following recommendations:

1. That the Senate amendment be amended by striking in all of lines 252 through 263 of the printed amendment and inserting in lieu thereof the following:

4. Official directional or other traffic control devices or signs. Advertising devices and notices which shall include, but not be limited to, advertising devices and notices pertaining to natural wonders, scenic and historic attractions, recreational attractions and municipal recognition signs, which shall conform with rules and regulations promulgated by the commission, provided that such rules shall be consistent with national standards promulgated from time to time by the appropriate authority of the federal government, pursuant to Title twenty-three (23), section one hundred thirty-one (131), paragraph c of the United States Code.

2. That the Senate amendment be amended by striking from line 243 the following: ". Neither" and inserting in lieu thereof the following: ", nor".

3. Amend page 4, line 13, of the House amendment to the Senate amendment by inserting after the word "and" the words "three dollars".

4. Amend page 2, line 25, of the House amendment to the Senate amendment by inserting after the word "Act" the following: "and municipal recognition signs erected by any city or town."

5. That the Senate and House concur in the House and Senate amendments as amended.

On the part of the Senate:

JOHN M. WALSH, Chairman
WAYNE D. KEITH
CHARLES P. MILLER

On the part of the House:

RICHARD W. WELDEN, Chairman
BARTON L. SCHWIEGER
EDGAR H. HOLDEN
VERNON A. ELWELL

Welden of Hardin moved the adoption of the conference committee report and the amendments contained therein.

A non-record roll call was requested.

The ayes were 84, nays 0.

The report was adopted.

Welden of Hardin moved that the bill be read a last time now and placed upon its repassage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 734)

The ayes were, 75:

Alt	Grassley	Middleswart	Siglin
Anania	Hamilton	Millen	Small
Andersen	Hansen	Miller	Sorg
Bennett	Hill	Moffitt	Stanley
Bergman	Jesse	Monroe	Strand
Blouin	Johnston	Norpel	Stromer
Campbell	Kinley	Nystrom	Strothman
Clark	Knoblauch	Pellett	Taylor
Cochran	Knoke	Pelton	Trowbridge
Curtis	Kreamer	Pierson	Uban
Drake	Kruse	Radl	Varley
Dunton	Larson	Rex	Welden
Edelen	Lipsky	Rodgers	Wells
Egenes	Logemann	Sargisson	Willits
Ellsworth	Mayberry	Schmeiser	Winkelman
Ewell	McCormick	Schwartz	Wirtz
Fisher, C. R.	McElroy	Schwieger	Wyckoff
Franklin	Mendenhall	Scott	Mr. Speaker
Gluba	Menefee	Shaw	

The nays were, 14:

Bray	Doyle	Kelly	Roorda
Christensen	Holden	Kennedy	Stokes
Den Herder	Husak	Nielsen	Tieden
Dougherty	Kehe		

Absent or not voting, 11:

Camp	Goode	Patton	Skinner
Fischer, H. O.	Lawson	Priebe	Waugh
Freeman	Mollett	Schroeder	

The bill having received a constitutional majority was declared to have repassed the House and the title was agreed to.

MOTION TO WITHDRAW FROM COMMITTEE ON APPROPRIATIONS

Pursuant to Rule 55 of the Temporary Rules of the House, the undersigned hereby moves to withdraw Senate File 1214, from the appropriations committee.

COCHRAN of Webster

APPROPRIATIONS CALENDAR

Senate File 1203, a bill for an act making an appropriation from the general fund of the state to the department of public defense for various capital improvements, with report of committee recommending passage was taken up for consideration.

Lipsky of Linn offered the following amendment filed by her and Campbell of Washington:

Amend Senate File 1203 as follows:

1. Page 2, line 9, by inserting before the period the words "and as a site for the operatiton of an emergency helicopter ambulance service".

2. Page 2, by inserting the following new section after line 24:

"Sec. 6. The adjutant general shall establish under the direction of the Iowa national guard an emergency helicopter ambulance service to transport persons who require emergency medical treatment or require emergency transfer between hospitals and to transport emergency medical supplies, equipment or personnel.

The Iowa national guard shall provide the emergency helicopter ambulance service from its available manned helicopters at the request of the governor, Iowa highway safety patrol, or the administrative heads of the hospitals located in Iowa, unless the Iowa national guard does not have a manned helicopter available or is in active service under the armed forces of the United States.

The adjutant general shall establish policies and procedures to carry out the provisions of this section. The policies and procedures shall provide that the emergency helicopter ambulance service shall be coordinated and supplemental to, and not competitive with conventional ambulance services. In determining whether an emergency exists the policies and procedures shall give reasonable consideration to the risk of death or permanent injury due to delayed treatment resulting from; remoteness of an area from any hospital, the absence or unavailability of conventional ambulance services, and the distance to be traveled in a transfer between hospitals."

3. Page 1, line 3, by amending the title by inserting after the word "improvements" the words " and providing for emergency helicopter ambulance service".

Lipsky of Linn offered the following amendment to her amendment:

Amend the Lipsky and Campbell amendment to Senate File 1203 as passed by the Senate filed March 15 as follows:

1. By striking in line 8 the words "under the direction of" and inserting in lieu thereof the word "within".
2. By striking in line 16 the words "request of the governor," and inserting in lieu thereof the words "order of the governor at the request of the".

Kreamer of Polk moved the previous question on Senate File 1203 and all amendments and motions filed thereto.

A non-record roll call was requested.

The ayes were 55, nays 29.

The motion prevailed.

Lipsky of Linn moved the adoption of her amendment to the amendment.

A non-record roll call was requested.

The ayes were 54, nays 17.

The amendment to the amendment was adopted.

Varley of Adair asked and received unanimous consent to withdraw the amendment to the amendment filed by him on March 23, 1972, and found on pages 1407 and 1408 of the House Journal.

Varley of Adair offered the following amendment to the amendment from the floor:

Amend the Lipsky and Campbell amendment to Senate File 1203 as passed by the Senate filed March 15 as follows:

1. By striking in line 7 the word "establish" and inserting in lieu thereof the words "develop a plan".
2. By inserting in line 8 after the word "guard" the word "for".
3. By inserting in line 14 after the word "shall" the words "be requested to".
4. By striking in line 16 the words "at the" and inserting in lieu thereof the words "when the plan is implemented on".

(Senate File 1203 and Varley amendment pending at recess.)

The House was recessed until 1:00 p.m.

AFTERNOON SESSION

The House reconvened, Speaker pro tempore Millen in the chair.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Mendenhall of Allamakee for the afternoon on request of Pierson of Mahaska.

The House resumed consideration of Senate File 1203 and the Varley amendment to the Lipsky amendment.

Varley of Adair moved the adoption of his amendment to the amendment.

Roll call was requested by Johnston of Johnson and Skinner of Polk.

On the question "Shall the amendment to the amendment be adopted?"

The ayes were, 58:

Alt	Gluba	Monroe	Stokes
Andersen	Hansen	Nielsen	Strand
Bennett	Hill	Norpel	Stromer
Bergman	Kehe	Nystrom	Taylor
Campbell	Knoblauch	Pellett	Tieden
Christensen	Knoke	Pelton	Trowbridge
Curtis	Kreamer	Pierson	Varley
Den Herder	Kruse	Radl	Welden
Drake	Lipsky	Rex	Wells
Edelen	Logemann	Roorda	Winkelman
Egenes	McElroy	Schwieger	Wirtz
Ellsworth	Menefee	Scott	Wyckoff
Fischer, H. O.	Middleswart	Siglin	Mr. Speaker
Fisher, C. R.	Miller	Sorg	(Millen)
Freeman	Moffitt	Stanley	

The nays were, 18:

Blouin	Husak	McCormick	Small
Dougherty	Jesse	Rodgers	Strothman
Doyle	Johnston	Sargisson	Uban
Ewell	Kennedy	Schwartz	Willits
Franklin	Larson		

Absent or not voting, 24:

Anania	Goode	Kinley	Priebe
Bray	Grassley	Lawson	Schmeiser
Camp	Hamilton	Mayberry	Schroeder
Clark	Harbor	Mendenhall	Shaw
Cochran	Holden	Mollett	Skinner
Dunton	Kelly	Patton	Waugh

The amendment to the amendment was adopted.

Lipsky of Linn moved the adoption of her amendment as amended.

Roll call was requested by Lipsky of Linn and Blouin of Du-
buque.

On the question "Shall the amendment as amended be adopted?"

The ayes were, 70:

Alt	Grassley	Moffitt	Stanley
Anania	Hansen	Monroe	Stokes
Bennett	Hill	Norpel	Strand
Blouin	Holden	Nystrom	Stromer
Bray	Jesse	Pellett	Strothman
Campbell	Johnston	Pelton	Taylor
Christensen	Kelly	Pierson	Tieden
Clark	Kennedy	Radl	Trowbridge
Cochran	Kinley	Rodgers	Uban
Curtis	Knoke	Roorda	Varley
Den Herder	Kreamer	Schwartz	Wells
Dougherty	Kruse	Schwieger	Willits
Drake	Larson	Scott	Winkelman
Edelen	Lipsky	Shaw	Wirtz
Egenes	Mayberry	Siglin	Wyckoff
Ellsworth	McCormick	Skinner	Mr. Speaker
Franklin	McElroy	Small	(Millen)
Gluba	Miller	Sorg	

The nays were, 17:

Andersen	Fisher, C. R.	Knoblauch	Nielsen
Bergman	Freeman	Logemann	Rex
Doyle	Husak	Menefee	Sargisson
Dunton	Kehe	Middleswart	Welden
Ewell			

Absent or not voting, 13:

Camp	Harbor	Mollett	Schmeiser
Fischer, H. O.	Lawson	Patton	Schroeder
Goode	Mendenhall	Priebe	Waugh
Hamilton			

The amendment as amended was adopted.

Schwartz of Wapello offered the following amendment filed by him.

Amend Senate File 1203 as follows:

Page 2, line 9, by adding after the words "state guard" the following: ", which facilities shall be located at Waterloo and Ottumwa, Iowa".

Uban of Black Hawk offered from the floor the following amendment to the amendment:

Amend the Schwartz amendment, filed March 15th, to Senate File 1203, by striking from line 4 the words "Waterloo and".

Johnston of Johnson moved that the Uban amendment be tabled.

A non-record roll call was requested.

The ayes were 16, nays 59.

The motion lost.

Uban of Black Hawk moved the adoption of his amendment to the amendment.

Roll call was requested by Schwartz of Wapello and Alt of Polk.

On the question "Shall the amendment to the amendment be adopted?"

The ayes were, 36:

Anania	Ellsworth	Johnston	Skinner
Bennett	Ewell	Kennedy	Small
Blouin	Franklin	Kinley	Stromer
Bray	Freeman	Larson	Strothman
Campbell	Gluba	McCormick	Taylor
Cochran	Hill	Pellett	Uban
Dougherty	Holden	Sargisson	Wells
Dunton	Husak	Schwartz	Willits
Egenes	Jesse	Scott	Wirtz

The nays were, 43:

Alt	Kehe	Nielsen	Stanley
Andersen	Knoke	Norpel	Stokes
Bergman	Kreamer	Nystrom	Strand
Clark	Kruse	Pelton	Tieden
Curtis	Lipsky	Pierson	Trowbridge
Den Herder	McElroy	Rex	Varley
Drake	Menefee	Roorda	Welden
Edelen	Middlewart	Schwieger	Winkelman
Fisher, C. R.	Miller	Shaw	Wyckoff
Grassley	Moffitt	Siglin	Mr. Speaker
Hansen	Monroe	Sorg	(Millen)

Absent or not voting, 21:

Camp	Harbor	Mayberry	Radl
Christensen	Kelly	Mendenhall	Rodgers
Doyle	Knoblauch	Mollett	Schmeiser
Fischer, H. O.	Lawson	Patton	Schroeder
Goode	Logemann	Priebe	Waugh
Hamilton			

The amendment to the amendment lost.

Schwartz of Wapello moved the adoption of his amendment.

A non-record roll call was requested.

The ayes were 37, nays 43.

The amendment lost.

Uban of Black Hawk offered the following amendment filed by Uban, et al., and moved the adoption of his amendment.

Amend Senate File 1203, page 2, by inserting after

the period in line 9, the following:

"This facility shall not be located within the control zone of any airport that has more than 42,000 landings and 42,000 take-offs per year."

The amendment lost.

Bray of Scott offered the following amendment filed by him and Gluba of Scott and moved its adoption:

Amend Senate File 1203, as passed by the Senate, line 14, by adding the following new sentence:

"The department of public defense shall give first consideration to establishing any helicopter facilities under this Act in those counties whose law enforcement agencies acquire helicopters for the purpose of improving law enforcement."

The amendment lost.

Skinner of Polk moved that the previous question on Senate File 1203 be lifted.

On the question "Shall the previous question be lifted?"

A non-record roll call was requested.

The ayes were 30, nays 40.

The motion lost.

Welden of Hardin moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

Rules 69 and 70 were invoked.

On the question "Shall the bill pass?" (S.F. 1203)

The ayes were, 55:

Alt	Grassley	Miller	Sorg
Andersen	Harbor	Moffitt	Stanley
Bennett	Husak	Nielsen	Stokes
Bergman	Kehe	Norpel	Strand
Christensen	Kelly	Nystrom	Stromer
Curtis	Knoblauch	Pelton	Strothman
Den Herder	Kreamer	Pierson	Taylor
Dougherty	Kruse	Radl	Trowbridge
Drake	Lipsky	Rex	Varley
Dunton	Logemann	Roorda	Welden
Ellsworth	Mayberry	Schroeder	Winkelman
Fischer, H. O.	McElroy	Schwieger	Wyckoff
Fisher, C. R.	Menefee	Shaw	Mr. Speaker
Freeman	Middleswart	Siglin	(Millen)

The nays were, 35:

Anania	Ewell	Kinley	Scott
Blouin	Franklin	Knoke	Skinner
Bray	Gluba	Larson	Small
Campbell	Hansen	McCormick	Tieden
Clark	Hill	Monroe	Uban
Cochran	Holden	Pellett	Wells
Doyle	Jesse	Rodgers	Willits
Edelen	Johnston	Sargisson	Wirtz
Egenes	Kennedy	Schmeiser	

Absent or not voting, 10:

Camp	Lawson	Patton	Schwartz
Goode	Mendenhall	Priebe	Waugh
Hamilton	Mollett		

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

OBJECTION WITHDRAWN

(Senate File 1003)

The objection filed on March 23, 1972, to Senate File 1003 being placed on the noncontroversial sifting committee calendar is withdrawn on request of Johnston of Johnson, Skinner of Polk, Willits of Polk, Kennedy of Chickasaw and Blouin of Dubuque.

MOTION TO SUSPEND RULES

(Senate File 1214)

We move to suspend the rules to take Senate File 1214 from the Appropriations Committee for debate.

TAYLOR of Dubuque
ELLSWORTH of Dubuque

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has concurred in the House amendment to and passed the following bill in which the concurrence of the Senate was asked:

Senate File 163, a bill for an act relating to retirement systems for policemen and firemen.

Also: That the Senate has concurred in the House amendment to and passed the following bill in which the concurrence of the Senate was asked:

Senate File 376, a bill for an act relating to vehicle equipment requirements.

Also: That the Senate has concurred in the House amendment to and passed the following bill in which the concurrence of the Senate was asked:

Senate File 1191, a bill for an act relating to business corporations.

Also: That the Senate has concurred in the House amendment to and passed the following bill in which the concurrence of the Senate was asked:

Senate File 1195, a bill for an act relating to the drawing of grand jurors.

Also: That the Senate has adopted the conference committee report and the amendments contained therein and passed the following bill:

House File 1279, a bill for an act authorizing exercise of a purchase-option by the executive council.

Also: That the Senate has adopted the following concurrent resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 133, commending the Pages of the Sixty-fourth General Assembly, Second Session, for their excellent service to the legislators.

Also: That the Senate has refused to concur in the House amendment to the Senate amendment to the following bill:

House File 1272, a bill for an act relating to bonded warehouses.

CARROLL A. LANE, Secretary

Speaker Harbor in the chair at 5:04 p.m.

ADOPTION OF CONFERENCE COMMITTEE REPORT
(House File 1279)

Welden of Hardin called up for consideration the following conference committee report on **House File 1279**, a bill for an act authorizing exercise of a purchase-option by the executive council and appropriating funds therefor, and moved that the House adopt the conference committee report on House File 1279 and amendments contained therein.

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to consider the difference between the Senate and the House of Representatives on House File 1279, a bill for an authorizing exercise of a purchase-option by the executive council and appropriating funds therefor, respectfully submit the following recommendations:

1. That the House of Representatives recede from its amendment to the Senate amendment.

2. That the Senate amendment to House File 1279, received from the Senate on March 22, 1972, be amended by striking from lines 3 and 4 the words "the general fund of the state of Iowa" and inserting in lieu thereof the words "any funds available under section twenty-one point seven (21.7) of the Code".

On the part of the Senate:
JOHN L. MOWRY, Chairman
REINHOLD O. CARLSON
MARVIN W. SMITH
CLOYD E. ROBINSON

On the part of the House:
RICHARD W. WELDEN, Chairman
MURRAY C. LAWSON
KEITH H. DUNTON

Roll call was requested by Jesse of Polk and Skinner of Polk.

On the question "Shall the report be adopted?"

The ayes were, 55:

Alt	Freeman	Millen	Stanley
Andersen	Grassley	Miller	Stokes
Bergman	Hansen	Moffitt	Strand
Campbell	Hill	Nielsen	Stromer
Christensen	Holden	Nystrom	Strothman
Clark	Kehe	Pellett	Taylor
Curtis	Kelly	Pelton	Tieden
Den Herder	Knoke	Pierson	Trowbridge
Drake	Kreamer	Rex	Varley
Edelen	Kruse	Roorda	Welden
Egenes	Lipsky	Schroeder	Winkelman
Ellsworth	Logemann	Schwieger	Wirtz
Fischer, H. O.	McElroy	Siglin	Mr. Speaker
Fisher, C. R.	Menefee	Sorg	

The nays were, 33:

Anania	Gluba	McCormick	Schwartz
Bennett	Husak	Middleswart	Scott
Blouin	Jesse	Monroe	Skinner
Bray	Johnston	Norpel	Small
Cochran	Kennedy	Radl	Uban
Dougherty	Kinley	Rodgers	Wells
Doyle	Knoblauch	Sargisson	Willits
Ewell	Larson	Schmeiser	Wyckoff
Franklin			

Absent or not voting, 12:

Camp	Hamilton	Mendenhall	Priebe
Dunton	Lawson	Mollett	Shaw
Goode	Mayberry	Patton	Waugh

The report was adopted.

Welden of Hardin moved that the bill be read a last time now and placed upon its repassage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1279)

The ayes were, 56:

Alt	Freeman	Millen	Stanley
Andersen	Grassley	Miller	Stokes
Bergman	Hansen	Moffitt	Strand
Campbell	Hill	Nielsen	Stromer
Christensen	Holden	Nystrom	Strothman
Clark	Kehe	Pellett	Taylor
Curtis	Kelly	Pelton	Tieden
Den Herder	Knoke	Rex	Trowbridge
Drake	Kreamer	Roorda	Varley
Edelen	Kruse	Schroeder	Waugh
Egenes	Lipsky	Schwieger	Welden
Ellsworth	Logemann	Shaw	Winkelman
Fischer, H. O.	McElroy	Siglin	Wirtz
Fisher, C. R.	Menefee	Sorg	Mr. Speaker

The nays were, 33:

Anania	Gluba	McCormick	Schwartz
Bennett	Husak	Middleswart	Scott
Blouin	Jesse	Monroe	Skinner
Bray	Johnston	Norpel	Small
Cochran	Kennedy	Radl	Uban
Dougherty	Kinley	Rodgers	Wells
Doyle	Knoblauch	Sargisson	Willits
Ewell	Larson	Schmeiser	Wyckoff
Franklin			

Absent or not voting, 11:

Camp	Hamilton	Mendenhall	Pierson
Dunton	Lawson	Mollett	Priebe
Goode	Mayberry	Patton	

The bill having received a constitutional majority was declared to have repassed the House and the title was agreed to.

Kreamer of Polk in the chair at 5:29 p.m.

HOUSE RECEDES

(House File 1272)

Fischer of Grundy called up for consideration the Senate message on House File 1272, a bill for an act relating to bonded warehouses and moved that the House recede from the House amendment to the Senate amendment to House File 1272.

A non-record roll call was requested.

The ayes were 47, nays 42.

The motion lost.

Knoke of Pottawattamie moved to reconsider the vote by which the motion to recede from the House amendment lost.

A non-record roll call was requested.

The ayes were 51, nays 38.

The motion prevailed.

Fischer of Grundy moved that the House recede from the House amendment to the Senate amendment to House File 1272.

A non-record roll call was requested.

The ayes were 51, nays 38.

The motion prevailed.

Fischer of Grundy moved that the bill be read a last time now and placed upon its repassage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 1272)

The ayes were, 55:

Alt	Freeman	Miller	Stokes
Andersen	Grassley	Moffitt	Strand
Bergman	Hansen	Nielsen	Stromer
Campbell	Hill	Nystrom	Strothman
Christensen	Holden	Pellett	Taylor
Clark	Kehe	Pelton	Tieden
Curtis	Kelly	Pierson	Trowbridge
Den Herder	Knoke	Rex	Varley
Drake	Kruse	Roorda	Waugh
Edelen	Lipsky	Schwieger	Welden
Egenes	Logemann	Shaw	Winkelman
Ellsworth	McElroy	Siglin	Wirtz
Fischer, H. O.	Menefee	Sorg	Mr. Speaker
Fisher, C. R.	Millen	Stanley	(Kreamer)

The nays were, 34:

Anania	Franklin	Middleswart	Schwartz
Bennett	Gluba	Monroe	Scott
Blouin	Husak	Norpel	Skinner
Bray	Jesse	Radl	Small
Cochran	Johnston	Rodgers	Uban
Dougherty	Kennedy	Sargisson	Wells
Doyle	Kinley	Schmeiser	Willits
Dunton	Knoblauch	Schroeder	Wyckoff
Ewell	McCormick		

Absent or not voting, 11:

Camp	Harbor	Mayberry	Patton
Goode	Larson	Mendenhall	Priebe
Hamilton	Lawson	Mollett	

The bill having received a constitutional majority was declared to have repassed the House and the title was agreed to.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has adopted the following joint resolution in which the concurrence of the House is asked:

Senate Joint Resolution 1008, ratifying a proposed amendment to the Constitution of the United States relative to equal rights for men and women.

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

House File 406, a bill for an act relating to use tax.

Also: That the Senate has refused to concur in the House amendment to the following bill:

Senate File 1059, a bill for an act relating to the authority of merged areas to borrow money.

Also: That the Senate has concurred in the House amendment to and passed the following bill in which the concurrence of the Senate was asked:

Senate File 1203, a bill for an act appropriating to the department of public defense.

CARROLL A. LANE, Secretary

MOTION TO RECONSIDER WITHDRAWN
(House File 1272)

Stromer of Hancock moved to reconsider the vote by which House File 1272 passed the House.

Stromer of Hancock asked for unanimous consent to withdraw his motion.

Objection was raised.

Stromer of Hancock moved to withdraw his motion to reconsider House File 1272.

Roll call was requested by Skinner of Polk and Jesse of Polk.

On the question "Shall the motion to reconsider House File 1272 be withdrawn?"

The ayes were, 50:

Andersen	Grassley	Nielsen	Strand
Bergman	Hansen	Nystrom	Stromer
Campbell	Harbor	Pellet	Strothman
Clark	Holden	Pelton	Taylor
Curtis	Kehe	Pierson	Trowbridge
Den Herder	Kelly	Rex	Varley
Drake	Kruse	Roorda	Waugh
Edelen	Logemann	Schwieger	Welden
Egenes	McElroy	Shaw	Winkelman
Ellsworth	Menefee	Siglin	Wirtz
Fischer, H. O.	Millen	Sorg	Mr. Speaker
Fisher, C. R.	Miller	Stanley	(Kreamer)
Freeman	Moffitt	Stokes	

The nays were, 34:

Anania	Franklin	McCormick	Schroeder
Bennett	Gluba	Middleswart	Schwartz
Blouin	Husak	Monroe	Scott
Bray	Jesse	Norpel	Skinner
Cochran	Johnston	Radl	Small
Dougherty	Kennedy	Rodgers	Uban
Doyle	Kinley	Sargisson	Wells
Dunton	Knoblauch	Schmeiser	Willits
Ewell	Knoke		

Absent or not voting, 16:

Alt	Hamilton	Lipsky	Patton
Camp	Hill	Mayberry	Priebe
Christensen	Larson	Mendenhall	Tieden
Goode	Lawson	Mollett	Wyckoff

The motion prevailed.

MOTION TO WITHDRAW FROM
APPROPRIATIONS COMMITTEE LOST
(Senate File 1214)

Blouin of Dubuque moved that the rules be suspended and that Senate File 1214 be withdrawn from the appropriations committee.

Kelly of Woodbury moved that the motion be tabled.

CALL OF THE HOUSE
(Senate File 1214)

Pursuant to Rule 73, the following members respectfully request a Call of the House on Senate File 1214.

KRUSE of O'Brien
PIERSON of Mahaska
KEHE of Bremer
BERGMAN of Osceola
WELDEN of Hardin
KREAMER of Polk

Varley of Adair moved that the Call of the House be lifted.

Roll call was requested by Jesse of Polk and Blouin of Dubuque.

Rules 69 and 70 were invoked.

On the question "Shall the Call of the House be lifted?"

The ayes were, 57:

Alt	Grassley	Moffitt	Stokes
Andersen	Hansen	Nielsen	Strand
Bergman	Harbor	Nystrom	Stromer
Campbell	Hill	Pellett	Strothman
Christensen	Holden	Pelton	Taylor
Clark	Kehe	Pierson	Tieden
Curtis	Kelly	Radl	Trowbridge
Den Herder	Knoke	Rex	Varley
Drake	Kruse	Roorda	Wagh
Edelen	Lipsky	Schroeder	Welden
Egenes	Logemann	Shaw	Winkelman
Ellsworth	McElroy	Siglin	Wirtz
Fischer, H. O.	Menefee	Sorg	Mr. Speaker
Fisher, C. R.	Millen	Stanley	(Kreamer)
Freeman	Miller		

The nays were, 33:

Anania	Franklin	Larson	Schwartz
Bennett	Gluba	McCormick	Schwieger
Blouin	Husak	Middleswart	Scott
Bray	Jesse	Monroe	Small
Cochran	Johnston	Norpel	Uban
Dougherty	Kennedy	Rodgers	Wells
Doyle	Kinley	Sargisson	Willits
Dunton	Knoblauch	Schmeiser	Wyckoff
Ewell			

Absent or not voting, 10:

Camp	Lawson	Mollett	Priebe
Goode	Mayberry	Patton	Skinner
Hamilton	Mendenhall		

The motion prevailed.

On the Kelly motion to table the motion to withdraw Senate File 1214 from the appropriations committee, roll call was requested by Blouin of Dubuque and Jesse of Polk.

Rules 69 and 70 were invoked.

On the question "Shall the motion to table, prevail?"

The ayes were, 53:

Alt	Hansen	Moffitt	Stanley
Bergman	Harbor	Nielsen	Stokes
Campbell	Hill	Nystrom	Strand
Christensen	Holden	Pellett	Stromer
Clark	Kehe	Pelton	Strothman
Curtis	Kelly	Pierson	Trowbridge
Den Herder	Knoke	Radl	Varley
Drake	Kruse	Rex	Waugh
Edelen	Lipsky	Roorda	Welden
Egenes	Logemann	Schroeder	Winkelman
Fischer, H. O.	McElroy	Shaw	Wirtz
Fisher, C. R.	Menefee	Siglin	Mr. Speaker
Freeman	Millen	Sorg	(Kreamer)
Grassley	Miller		

The nays were, 38:

Anania	Ewell	McCormick	Scott
Andersen	Franklin	Middleswart	Skinner
Bennett	Gluba	Monroe	Small
Blouin	Husak	Norpel	Taylor
Bray	Jesse	Rodgers	Tieden
Cochran	Johnston	Sargisson	Uban
Dougherty	Kennedy	Schmeiser	Wells
Doyle	Kinley	Schwartz	Willits
Dunton	Knoblauch	Schwieger	Wyckoff
Ellsworth	Larson		

Absent or not voting, 9:

Camp	Lawson	Mendenhall	Patton
Goode	Mayberry	Mollett	Priebe
Hamilton			

The motion prevailed.

SENATE AMENDMENTS CONSIDERED
House Refuses to Concur

Millen of Van Buren asked and received unanimous consent to take up for immediate consideration **House File 406**, a bill for an act relating to use tax, amended by the Senate as follows:

Amend House File, 406, as amended and passed by the House, by striking everything after the enacting clause and inserting in lieu thereof the following:

Section 1. Section four hundred twenty-three point four (423.4), subsection two (2), Code 1971, is amended to read as follows:

2. Tangible personal property used *in trade or business* in interstate transportation or interstate commerce[.], *provided that all vehicles as defined in section three hundred twenty-one point one (321.1) of the Code, and aircraft subject to registration under chapter three hundred twenty-eight (328) of the Code shall be exempt only if during the first two years of use:*

- a. more than sixty-five percent of the miles travelled or hours of flying time occurred outside of Iowa; or*
- b. more than sixty-five percent of the total revenues attributed to said vehicles or aircraft are derived from interstate transportation; or*
- c. more than sixty-five percent of the property tonnage transported was interstate transportation.*

Sec. 2. This Act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Charles City Press, a newspaper published in Charles City, Iowa, and in the Algona Kossuth County Advance, a newspaper published in Algona, Iowa.

Small of Johnson offered the following amendment to the Senate amendment and moved its adoption:

Amend the Senate amendment to the House File 406 by striking lines 21 through 25 and inserting in lieu thereof the following:

“Sec. 2. This Act, being deemed of immediate importance shall take effect and be in force from and after its publication in the Iowa City Press Citizen, a newspaper published in Iowa City, Iowa, and in The Des Moines Tribune, a newspaper published in Des Moines, Iowa.”

The amendment to the Senate amendment was adopted.

Millen of Van Buren moved that the House refuse to concur in the Senate amendment as amended by the House.

Roll call was requested by Millen of Van Buren and Den Herder of Sioux.

On the question "Shall the House refuse to concur in the Senate amendment as amended?"

The ayes were, 64:

Alt	Freeman	Millen	Shaw
Andersen	Grassley	Miller	Siglin
Bergman	Hansen	Moffitt	Sorg
Bray	Hill	Nielsen	Stokes
Campbell	Holden	Norpel	Strand
Christensen	Kehe	Nystrom	Stromer
Clark	Kelly	Pellett	Strothman
Curtis	Knoblauch	Pelton	Tieden
Den Herder	Knoke	Pierson	Trowbridge
Dougherty	Kruse	Radl	Varley
Drake	Larson	Rex	Waugh
Dunton	Lipsky	Rodgers	Willits
Edelen	McCormick	Roorda	Winkelman
Egenes	McElroy	Sargisson	Wyckoff
Ellsworth	Menefee	Schroeder	Mr. Speaker
Fischer, H. O.	Middleswart	Schwartz	(Kreamer)
Fisher, C. R.			

The nays were, 23:

Anania	Gluba	Monroe	Taylor
Bennett	Husak	Schmeiser	Uban
Blouin	Jesse	Schwieger	Welden
Cochran	Johnston	Scott	Wells
Doyle	Kennedy	Small	Wirtz
Franklin	Logemann	Stanley	

Absent or not voting, 13:

Camp	Harbor	Mayberry	Patton
Ewell	Kinley	Mendenhall	Priebe
Goode	Lawson	Mollett	Skinner
Hamilton			

The motion prevailed and the House refused to concur.

HOUSE FILE 1300 DEFERRED

Cochran of Webster rose on a point of order that **House File 1300** under unfinished business was in order for consideration.

Varley of Adair moved that House Files 33, 1300, 1037, 57, 1007, 725 and 734 be deferred.

Cochran of Webster moved as a substitute motion that the House resume consideration of House File 1300.

Millen of Van Buren moved the previous question on House File 1300 and all amendments and motions filed thereto.

Roll call was requested by Blouin of Dubuque and Kennedy of Chickasaw.

On the question "Shall the motion on the previous question prevail?"

The ayes were, 55:

Alt	Freeman	Miller	Stanley
Andersen	Grassley	Moffitt	Stokes
Bergman	Hansen	Nielsen	Strand
Campbell	Harbor	Nystrom	Stromer
Christensen	Hill	Pellett	Strothman
Clark	Holden	Pelton	Tieden
Curtis	Kehe	Pierson	Trowbridge
Den Herder	Knoke	Rex	Varley
Drake	Kruse	Roorda	Waugh
Edelen	Lipsky	Schroeder	Welden
Egenes	Logemann	Schwieger	Winkelman
Ellsworth	McElroy	Shaw	Wirtz
Fischer, H. O.	Menefee	Siglin	Mr. Speaker
Fisher, C. R.	Millen	Sorg	(Kreamer)

The nays were, 34:

Anania	Franklin	McCormick	Schwartz
Bennett	Gluba	Middleswart	Scott
Blouin	Husak	Monroe	Skinner
Bray	Jesse	Norpel	Small
Cochran	Johnston	Radl	Uban
Dougherty	Kennedy	Rodgers	Wells
Doyle	Kinley	Sargisson	Willits
Dunton	Knoblauch	Schmeiser	Wyckoff
Ewell	Larson		

Absent or not voting, 11:

Camp	Kelly	Mendenhall	Priebe
Goode	Lawson	Mollett	Taylor
Hamilton	Mayberry	Patton	

The motion prevailed.

Varley of Adair moved that House File 1300 be deferred.

Roll call was requested by Rodgers of Dallas and Bray of Scott.

Rules 69 and 70 were invoked.

On the question "Shall House File 1300 be deferred?"

The ayes were, 56:

Alt	Hansen	Nielsen	Stokes
Andersen	Hill	Nystrom	Strand
Bergman	Holden	Pellett	Stromer
Campbell	Kehe	Pelton	Strothman
Christensen	Kelly	Pierson	Taylor
Clark	Knoke	Radl	Tieden
Curtis	Kruse	Rex	Trowbridge
Den Herder	Lipsky	Roorda	Varley
Drake	Logemann	Schroeder	Waugh
Edelen	McElroy	Schwieger	Welden
Egenes	Menefee	Shaw	Winkelman
Ellsworth	Millen	Siglin	Wirtz
Fischer, H. O.	Miller	Sorg	Mr. Speaker
Fisher, C. R.	Moffitt	Stanley	(Kreamer)
Grassley			

The nays were, 32:

Anania	Ewell	Knoblauch	Schwartz
Bennett	Franklin	McCormick	Scott
Blouin	Gluba	Middleswart	Skinner
Bray	Husak	Monroe	Small
Cochran	Jesse	Norpel	Uban
Dougherty	Johnston	Rodgers	Wells
Doyle	Kennedy	Sargisson	Willits
Dunton	Kinley	Schmeiser	Wyckoff

Absent or not voting, 12:

Camp	Hamilton	Lawson	Mollett
Freeman	Harbor	Mayberry	Patton
Goode	Larson	Mendenhall	Priebe

The motion prevailed.

MOTION TO RECONSIDER

(House File 1279)

I move to reconsider the vote by which House File 1279 repassed the House on March 24, 1972.

JESSE of Polk

HOUSE RECEDES

(Senate File 1059)

Curtis of Cherokee called up for consideration the Senate message on **Senate File 1059**, a bill for an act relating to the authority of merged areas to borrow money in anticipation of the collection of a voted tax for school facilities, and moved that the House recede from its amendment to Senate File 1059.

Roll call was requested by Kennedy of Chickasaw and Johnston of Johnson.

On the question "Shall the House recede from its amendment?"

The ayes were, 60:

Alt	Grassley	Moffitt	Strand
Andersen	Hansen	Nielsen	Stromer
Bergman	Hill	Nystrom	Strothman
Campbell	Holden	Pellett	Taylor
Christensen	Kehe	Pelton	Trowbridge
Clark	Kelly	Rex	Uban
Curtis	Kinley	Roorda	Varley
Den Herder	Knoke	Sargisson	Waugh
Doyle	Kruse	Schroeder	Welden
Drake	Lipsky	Schwartz	Wells
Dunton	Logemann	Schwieger	Willits
Edelen	McElroy	Shaw	Winkelman
Egenes	Menefee	Siglin	Wirtz
Ellsworth	Millen	Sorg	Mr. Speaker
Ewell	Miller	Stanley	(Kreamer)
Fisher, C. R.			

The nays were, 26:

Anania	Gluba	Middleswart	Scott
Bennett	Husak	Norpel	Skinner
Blouin	Jesse	Pierson	Small
Bray	Johnston	Radl	Stokes
Cochran	Kennedy	Rodgers	Tieden
Dougherty	Knoblauch	Schmeiser	Wyckoff
Franklin	McCormick		

Absent or not voting, 14:

Camp	Hamilton	Mayberry	Monroe
Fischer, H. O.	Harbor	Mendenhall	Patton
Freeman	Larson	Mollett	Priebe
Goode	Lawson		

The motion prevailed and the House receded from its amendment.

Curtis of Cherokee moved that the bill be read a last time now and placed upon its repassage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 1059)

The ayes were, 82:

Alt	Fischer, H. O.	Middleswart	Siglin
Anania	Fisher, C. R.	Millen	Small
Andersen	Franklin	Miller	Stanley
Bennett	Gluba	Moffitt	Stokes
Bergman	Grassley	Monroe	Strand
Blouin	Hansen	Nielsen	Stromer
Bray	Hill	Norpel	Strothman
Campbell	Holden	Nystrom	Taylor
Christensen	Jesse	Pellett	Tieden
Clark	Johnston	Pelton	Trowbridge
Cochran	Kehe	Pierson	Varley
Curtis	Kelly	Rex	Waugh
Den Herder	Kinley	Rodgers	Welden
Dougherty	Knoblauch	Roorda	Wells
Doyle	Knoke	Sargisson	Willits
Drake	Kruse	Schmeiser	Winkelman
Dunton	Lipsky	Schroeder	Wirtz
Edelen	Logemann	Schwartz	Wyckoff
Egenes	McCormick	Schwieger	Mr. Speaker
Ellsworth	McElroy	Scott	(Kreamer)
Ewell	Menefee	Shaw	

The nays were, 6:

Husak	Radl	Sorg	Uban
Kennedy	Skinner		

Absent or not voting, 12:

Camp	Hamilton	Lawson	Mollett
Freeman	Harbor	Mayberry	Patton
Goode	Larson	Mendenhall	Priebe

The bill having received a constitutional majority was declared to have repassed the House and the title was agreed to.

Speaker pro tempore Millen in the chair at 8:30 p.m.

CONFERENCE COMMITTEE REPORT
(House File 1156)

Stanley of Linn called up for consideration the conference committee report on **House File 1156**, a bill for an act creating an Iowa world exposition authority, and specifying its purposes, powers, and responsibilities, and moved that the House adopt the following conference committee report on House File 1156 and the amendments contained therein.

REPORT OF THE CONFERENCE COMMITTEE
ON HOUSE FILE 1156

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to consider the difference between the Senate and the House of Representatives on House File 1156, a bill for an act creating an Iowa world exposition authority, and specifying its purposes, powers, and responsibilities, respectfully submit the following recommendations:

1. That the House of Representatives recede from its amendment to the Senate amendment.
2. That the Senate recede from its amendment to House File 1156, as amended and passed by the House of Representatives.
3. That House File 1156, as amended and passed by the House of Representatives be amended as follows:
 - a. Page 2, line 7, by striking the word "eleven" and inserting in lieu thereof the word "nine".
 - b. Page 2, line 9, by striking the word "Four" and inserting in lieu thereof the word "Five".
 - c. Page 2, by striking lines 17 through 21, inclusive.
 - d. Page 2, by striking lines 42 through 45, inclusive, and inserting in lieu thereof the following:

"Each member is entitled to receive his actual and necessary expenses and forty dollars compensation for each day spent in performance of authority duties."

- e. Page 3, by striking lines 12 through 17, inclusive, and inserting in lieu thereof the following new paragraph:

"The plan for the financing and acquisition of land for the exposition shall be approved by the executive council prior to any action on the financing and acquisition of land by the authority. Not later than thirty days from the date of the convening of the Sixty-fifth General Assembly, the plan for the development and financing of the exposition shall be submitted to the general assembly. The report shall also include any recommendations concerning the feasibility studies authorized by this section."

- f. Page 3, line 43, by inserting after the period the following new sentence:

"The authority shall consider each bid of real estate

offered in this state as a possible site for the exposition before making the final site selection prior to a deadline to be set by the executive council."

g. Page 4, by striking lines 17 through 19, inclusive.

h. Page 6, by inserting after line 4 the following new paragraph:

"The real property upon which any such buildings, structures, or improvements are placed shall be valued, assessed, placed upon the tax rolls and be taxed as provided by law. Notwithstanding the provisions of section four hundred twenty-seven point one (427.1) of the Code, all personal property of the authority, and all buildings, structures, and improvements placed on such land, shall be valued, assessed, placed upon the tax rolls and be taxed as provided by law from and after January 1, 1978."

i. Renumber sections and correct internal references as are necessary in accordance with this amendment.

On the part of the Senate:

CHARLES O. LAVERTY, Chairman
R. DEAN ARBUCKLE
C. JOSEPH COLEMAN
RUDY VAN DRIE

On the part of the House:

IVOR W. STANLEY, Chairman
DON D. ALT
BERL E. PRIEBE
WILLIAM P. WINKELMAN

Varley of Adair moved the previous question on the conference committee report on House File 1156.

A non-record roll call was requested.

The ayes were 55, nays 28.

The motion prevailed.

Stanley of Linn moved the adoption of the conference committee report and the amendments contained therein.

Roll call was requested by Jesse of Polk and Blouin of Dubuque.

On the question "Shall the conference committee report be adopted?"

The ayes were, 50:

Alt	Gluba	Menefee	Siglin
Andersen	Grassley	Miller	Stanley
Bergman	Hansen	Moffitt	Strand
Campbell	Harbor	Nielsen	Stromer
Christensen	Hill	Nystrom	Strothman
Clark	Holden	Pellett	Tieden
Den Herder	Kelly	Pelton	Trowbridge
Drake	Knoke	Pierson	Varley
Egenes	Kreamer	Rex	Waugh
Ellsworth	Kruse	Roorda	Winkelman
Fischer, H. O.	Lipsky	Schroeder	Mr. Speaker
Fisher, C. R.	Logemann	Schwieger	(Millen)
Freeman	McElroy	Shaw	

The nays were, 38:

Anania	Husak	Norpel	Sorg
Bennett	Jesse	Radl	Stokes
Blouin	Johnston	Rodgers	Taylor
Bray	Kehe	Sargisson	Uban
Cochran	Kennedy	Schmeiser	Welden
Curtis	Kinley	Schwartz	Wells
Dougherty	Knoblauch	Scott	Willits
Edelen	McCormick	Skinner	Wirtz
Ewell	Middleswart	Small	Wyckoff
Franklin	Monroe		

Absent or not voting, 12:

Camp	Goode	Lawson	Mollett
Doyle	Hamilton	Mayberry	Patton
Dunton	Larson	Mendenhall	Priebe

The report was adopted.

Stanley of Linn moved that the bill be read a last time now and placed upon its repassage which motion prevailed and the bill was read a last time.

Rules 69 and 70 were invoked.

On the question "Shall the bill pass?" (H.F. 1156)

The ayes were, 47:

Alt	Freeman	Menefee	Siglin
Andersen	Grassley	Miller	Stanley
Bergman	Hansen	Moffitt	Strand
Campbell	Harbor	Nielsen	Stromer
Christensen	Hill	Nystrom	Strothman
Clark	Kelly	Pellett	Tieden
Den Herder	Knoke	Pelton	Trowbridge
Drake	Kreamer	Pierson	Varley
Egenes	Kruse	Rex	Waugh
Ellsworth	Lipsky	Roorda	Winkelman
Fischer, H. O.	Logemann	Schroeder	Mr. Speaker
Fisher, C. R.	McElroy	Schwieger	(Millen)

The nays were, 40:

Anania	Gluba	Middleswart	Small
Bennett	Holden	Monroe	Sorg
Blouin	Husak	Norpel	Stokes
Bray	Jesse	Radl	Taylor
Cochran	Johnston	Sargisson	Uban
Curtis	Kehe	Schmeiser	Welden
Dougherty	Kennedy	Schwartz	Wells
Edelen	Kinley	Scott	Willits
Ewell	Knoblauch	Shaw	Wirtz
Franklin	McCormick	Skinner	Wyckoff

Absent or not voting, 13:

Camp	Hamilton	Mayberry	Patton
Doyle	Larson	Mendenhall	Priebe
Dunton	Lawson	Mollett	Rodgers
Goode			

The bill having failed to receive a constitutional majority was declared to have failed to have repassed the House.

CONSIDERATION OF SENATE JOINT RESOLUTION 1008

Varley of Adair moved that the rules be suspended for the consideration of **Senate Joint Resolution 1008**.

Roll call was requested by Lipsky of Linn and Shaw of Scott.

Rules 69 and 70 were invoked.

On the question "Shall the rules be suspended for the consideration of Senate Joint Resolution 1008?"

The ayes were, 55:

Alt	Ellsworth	Moffitt	Small
Bennett	Franklin	Monroe	Sorg
Bergman	Hansen	Nystrom	Stanley
Blouin	Harbor	Pelton	Stromer
Bray	Hill	Pierson	Taylor
Campbell	Jesse	Sargisson	Trowbridge
Christensen	Johnston	Schmeiser	Uban
Clark	Knoblauch	Schroeder	Varley
Curtis	Knoke	Schwartz	Waugh
Dougherty	Kreamer	Schwieger	Wells
Drake	Kruse	Scott	Willits
Dunton	Lipsky	Shaw	Winkelman
Edelen	McCormick	Siglin	Mr. Speaker
Egenes	McElroy	Skinner	(Millen)

The nays were, 30:

Anania	Grassley	Middleswart	Stokes
Andersen	Holden	Miller	Strand
Cochran	Husak	Norpel	Strothman
Doyle	Kehe	Pellett	Tieden
Ewell	Kennedy	Radi	Welden
Fisher, C. R.	Kinley	Rex	Wirtz
Freeman	Logemann	Roorda	Wyckoff
Gluba	Menefee		

Absent or not voting, 15:

Camp	Hamilton	Mayberry	Patton
Den Herder	Kelly	Mendenhall	Priebe
Fischer, H. O.	Larson	Mollett	Rodgers
Goode	Lawson	Nielsen	

The motion prevailed.

Kreamer of Polk moved the previous question on Senate Joint Resolution 1008 and all amendments and motions filed thereto?"

Roll call was requested by Kreamer of Polk and Tieden of Clayton.

On the question "Shall the motion on the previous question prevail?"

The ayes were, 52:

Alt	Harbor	Nielsen	Stokes
Andersen	Hill	Nystrom	Strand
Bergman	Holden	Pelton	Stromer
Campbell	Kehe	Pierson	Strothman
Clark	Kelly	Rex	Taylor
Curtis	Knoke	Roorda	Trowbridge
Den Herder	Kreamer	Sargisson	Varley
Drake	Kruse	Schroeder	Waugh
Edelen	Lipsky	Schwieger	Welden
Egenes	Logemann	Shaw	Winkelman
Ellsworth	McElroy	Siglin	Wirtz
Fisher, C. R.	Menefee	Sorg	Mr. Speaker
Grassley	Moffitt	Stanley	(Millen)
Hansen			

The nays were, 29:

Anania	Franklin	Monroe	Skinner
Bennett	Gluba	Norpel	Small
Blouin	Husak	Radl	Tieden
Cochran	Jesse	Rodgers	Uban
Dougherty	Johnston	Schmeiser	Wells
Doyle	Kennedy	Schwartz	Willits
Dunton	Kinley	Scott	Wyckoff
Ewell			

Absent or not voting, 19:

Bray	Goode	Mayberry	Mollett
Camp	Hamilton	McCormick	Patton
Christensen	Knoblauch	Mendenhall	Pellett
Fischer, H. O.	Larson	Middleswart	Priebe
Freeman	Lawson	Miller	

The motion prevailed.

Senate Joint Resolution 1008, a joint resolution ratifying a proposed amendment to the Constitution of the United States relative to equal rights for men and women, was taken up for consideration:

Lipsky of Linn moved that the joint resolution be read a last time now and placed upon its passage which motion prevailed and the joint resolution was read a last time.

Senate Joint Resolution 1008, a Joint Resolution ratifying a proposed amendment to the Constitution of the United States relative to equal rights for men and women.

WHEREAS, the Ninety-second (92nd) Congress of the United States has passed a Joint Resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; and

WHEREAS, This Joint Resolution passed the House of Representatives of the United States on October 12, 1971, passed the Senate of the United States on March 22, 1972, and now has been submitted to a vote of the States and reads:

“JOINT RESOLUTION

Proposing an amendment to the Constitution of the United States relative to equal rights for men and women.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress:

“ARTICLE _____

“Section 1. Equality of rights under the law shall not be denied or abridged by the United States or by any State on account of sex.

“Sec. 2. The Congress shall have the power to enforce, by appropriate legislation, the provisions of this article.

“Sec. 3. This amendment shall take effect two years after the date of ratification.”

Be It Resolved by the General Assembly of the State of Iowa:

That the foregoing proposed amendment to the Constitution of the United States is hereby ratified and consented to by the State of Iowa and the General Assembly thereof; and

Be It Further Resolved that the Governor of the State of Iowa forward certified copies of this resolution over the Seal of the State of Iowa to the Secretary of State of the United States, to the Presiding Officers of the Senate of the United States, to the Speaker of the House of Representatives of the United States, and to the administrator of the United States General Services Administration.

On the question “Shall the joint resolution be adopted and agreed to?” (S.J.R. 1008)

The ayes were, 73:

Alt	Fischer, H. O.	Lipsky	Skinner
Anania	Fisher, C. R.	McCormick	Small
Andersen	Franklin	McElroy	Sorg
Bergman	Freeman	Moffitt	Stanley
Blouin	Gluba	Monroe	Stokes
Bray	Grassley	Norpel	Strand
Campbell	Hansen	Nystrom	Stromer
Christensen	Harbor	Pelton	Strothman
Clark	Hill	Pierson	Trowbridge
Cochran	Jesse	Rodgers	Uban
Curtis	Johnston	Sargisson	Varley
Dougherty	Kelly	Schmeiser	Waugh
Doyle	Kennedy	Schroeder	Wells
Drake	Kinley	Schwartz	Willits
Dunton	Knoblauch	Schwieger	Winkelman
Edelen	Knoke	Scott	Wirtz
Egenes	Kreamer	Shaw	Mr. Speaker
Ellsworth	Kruse	Siglin	(Millen)
Ewell	Larson		

The nays were, 14:

Holden	Menefee	Rex	Tieden
Husak	Middleswart	Roorda	Welden
Kehe	Miller	Taylor	Wyckoff
Logemann	Radl		

Absent or not voting, 13:

Bennett	Hamilton	Mendenhall	Patton
Camp	Lawson	Mollett	Pellett
Den Herder	Mayberry	Nielsen	Priebe
Goode			

The joint resolution having received a constitutional majority was declared to have been adopted and agreed to and the foregoing proposed amendment to the Constitution of the United States was hereby declared ratified and consented to by the House.

RECONSIDERATION OF HOUSE FILE 1156

Sorg of Linn moved to reconsider the vote by which House File 1156 failed to pass the House on March 24, 1972.

Curtis of Cherokee moved that the motion to reconsider be tabled.

Roll call was requested by Curtis of Cherokee and Stanley of Linn.

On the question "Shall the motion to table prevail?"

The ayes were, 31:

Anania	Jesse	Norpel	Strothman
Blouin	Johnston	Radl	Taylor
Bray	Kehe	Sargisson	Uban
Cochran	Kennedy	Schwartz	Welden
Curtis	Kinley	Scott	Wells
Franklin	Knoblauch	Skinner	Willits
Gluba	McCormick	Small	Wyckoff
Husak	Monroe	Stokes	

The nays were, 48:

Alt	Freeman	Menefee	Siglin
Andersen	Grassley	Miller	Sorg
Bergman	Hansen	Moffitt	Stanley
Campbell	Harbor	Nystrom	Strand
Christensen	Hill	Pelton	Tieden
Clark	Kelly	Pierson	Trowbridge
Den Herder	Knoke	Rex	Varley
Dougherty	Kreamer	Roorda	Waugh
Drake	Kruse	Schmeiser	Winkelman
Edelen	Lipsky	Schroeder	Wirtz
Egenes	Logemann	Schwieger	Mr. Speaker
Ellsworth	McElroy	Shaw	(Millen)
Fisher, C. R.			

Absent or not voting, 21:

Bennett	Goode	Mayberry	Patton
Camp	Hamilton	Mendenhall	Pellett
Doyle	Holden	Middleswart	Priebe
Dunton	Larson	Mollett	Rodgers
Ewell	Lawson	Nielsen	Stromer
Fischer, H. O.			

The motion lost.

On the motion by Sorg of Linn to reconsider the vote on House File 1156, roll call was requested by Sorg of Linn and Stanley of Linn.

Rule 70 was invoked.

On the question "Shall the vote on House File 1156 be reconsidered?"

The ayes were, 51:

Alt	Freeman	Miller	Stokes
Andersen	Grassley	Moffitt	Strand
Bergman	Hansen	Nystrom	Stromer
Campbell	Harbor	Pelton	Strothman
Christensen	Hill	Pierson	Taylor
Clark	Kelly	Rex	Tieden
Den Herder	Knoke	Roorda	Trowbridge
Drake	Kreamer	Schroeder	Varley
Edelen	Kruse	Schwieger	Waugh
Egenes	Lipsky	Shaw	Winkelman
Ellsworth	Logemann	Siglin	Wirtz
Fischer, H. O.	McElroy	Sorg	Mr. Speaker
Fisher, C. R.	Menefee	Stanley	(Millen)

The nays were, 34:

Anania	Holden	Middleswart	Scott
Blouin	Husak	Monroe	Skinner
Bray	Jesse	Norpel	Small
Cochran	Johnston	Radl	Uban
Curtis	Kehe	Rodgers	Welden
Dougherty	Kennedy	Sargisson	Wells
Ewell	Kinley	Schmeiser	Willits
Franklin	Knoblauch	Schwartz	Wyckoff
Gluba	McCormick		

Absent or not voting, 15:

Bennett	Goode	Mayberry	Patton
Camp	Hamilton	Mendenhall	Pellett
Doyle	Larson	Mollett	Priebe
Dunton	Lawson	Nielsen	

The motion prevailed.

Stanley of Linn called up for further consideration **House File 1156**, a bill for an act creating an Iowa world exposition authority, and specifying its purposes, powers, and responsibilities.

Stanley of Linn moved that the bill be read a last time now and placed upon its repassage which motion prevailed and the bill was read a last time.

Rules 69 and 70 were invoked.

On the question "Shall the bill pass?" (H.F. 1156)

The ayes were, 50:

Alt	Freeman	Miller	Strand
Andersen	Grassley	Moffitt	Stromer
Bergman	Hansen	Nystrom	Strothman
Campbell	Harbor	Pelton	Taylor
Christensen	Hill	Pierson	Tieden
Clark	Kelly	Rex	Trowbridge
Den Herder	Knoke	Roorda	Varley
Drake	Kreamer	Schroeder	Waugh
Edelen	Kruse	Schwieger	Winkelman
Egenes	Lipsky	Shaw	Wirtz
Ellsworth	Logemann	Siglin	Mr. Speaker
Fischer, H. O.	McElroy	Sorg	(Millen)
Fisher, C. R.	Menefee	Stanley	

The nays were, 36:

Anania	Gluba	McCormick	Scott
Blouin	Holden	Middleswart	Skinner
Bray	Husak	Monroe	Small
Cochran	Jesse	Norpel	Stokes
Curtis	Johnston	Radl	Uban
Dougherty	Kehe	Rodgers	Welden
Doyle	Kennedy	Sargisson	Wells
Ewell	Kinley	Schmeiser	Willits
Franklin	Knoblauch	Schwartz	Wyckoff

Absent or not voting, 14:

Bennett	Hamilton	Mendenhall	Patton
Camp	Larson	Mollett	Pellett
Dunton	Lawson	Nielsen	Priebe
Goode	Mayberry		

The bill having failed to receive a constitutional majority was declared to have failed to have repassed the House.

PERMANENT RULES ADOPTED

Varley of Adair moved that the temporary rules of the House be adopted as the permanent rules of the House.

The motion prevailed.

ADOPTION OF SENATE CONCURRENT RESOLUTION 133

Fischer of Grundy asked and received unanimous consent to take up for consideration **Senate Concurrent Resolution 133** as follows:

Whereas, the Senate and the House of Representatives were authorized to employ pages during the legislative session; and

Whereas, the pages of the Senate and the House of Representatives have performed their duties and responsibilities in a competent and enthusiastic manner during the Sixty-fourth General Assembly, Second Session; and

Whereas, the members of the Senate and the House of Representatives appreciate the excellent service provided by the pages; *Now Therefore*,

Be It Resolved by the Senate, the House Concurring: That the Secretary of the Senate and the Chief Clerk of the House of Representatives on behalf of the members of the Sixty-fourth General Assembly, Second Session, are directed to prepare a Certificate of Service for each page commending them for the excellent performance of the tasks assigned; and

Be It Further Resolved: That such Certificate of Service and a copy of the concurrent resolution be presented to each page of the Senate and the House of Representatives by the President of the Senate and the Speaker of the House.

Fischer of Grundy moved that the resolution be adopted.

The motion prevailed and the resolution was adopted.

MOTION TO RECONSIDER WITHDRAWN

(House File 1279)

Jesse of Polk asked and received unanimous consent to withdraw his motion to reconsider the vote on **House File 1279** filed on March 24, 1972.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has adopted the following concurrent resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 134, providing for adjournment sine die of the Sixty-fourth General Assembly at 8:15 p.m., Friday, March 24, 1972.

CARROLL A. LANE, Secretary

ADOPTION OF SENATE CONCURRENT RESOLUTION 134

Varley of Adair asked and received unanimous consent to take up for immediate consideration Senate Concurrent Resolution 134 and moved its adoption:

SENATE CONCURRENT RESOLUTION 134

By Lamborn

Be It Resolved by the Senate, the House Concurring: That the Sixty-fourth General Assembly adjourn sine die at 8:15 o'clock p.m., Friday, March 24, 1972.

The motion prevailed and the resolution was adopted.

HOUSE CONCURRENT RESOLUTION 142

By Varley and Millen

Whereas, Radio Station WOI, Ames, Iowa, has given live broadcast coverage of the sessions of the Senate and House during the first and second sessions of the Sixty-fourth General Assembly; and

Whereas, this coverage has been widely acclaimed and has given thousands of Iowans an opportunity to follow the operation of the General Assembly; *Now, Therefore,*

Be It Resolved by the House, the Senate Concurring, that Radio Station WOI is hereby commended for providing with this excellent public service and is encouraged to continue this programming in future sessions.

Be It Further Resolved, that a copy of this resolution be forwarded to the manager of Radio Station WOI.

Laid over under Rule 25.

REMARKS BY THE SPEAKER

Speaker Harbor made the following remarks:

How does one approach his final moments as a member of the House of Representatives, for suddenly here it is after eight wonderful years.

I am proud to have been associated with the sincerity and dedication evidenced here in each of you. Each of you possesses a unique quality that should cause all Iowans to stand proud and point with pride to your accomplishments. Iowa has prospered, and will continue doing so, because we

have all put Iowa first and our own desires and designs second. This transcends partisan politics, for which I commend you all—and thank you very much.

Our legislative record speaks for itself and can be pointed to as recognizing the needs of our state and proceeding to meet them.

These four years as your Speaker have been most gratifying to me personally, and any success from them must be shared with both sides of the political aisle. Oh, sure, there were times of frustration and moments of gloom and despair, and the loneliness of this seat could, if you let it, get to you. It is not easy to rule against colleagues or the entire body. But sometimes the responsibility of the office dictated no other choice. I knew what had to be done and did it.

As one sits here in the hot seat, seeking to draw together diverse views and to guide debate so as to bring out all facets and points of view, you do a lot of thinking and soul searching. You will never realize how, so many times, I have made silent, prayerful pleas to each of you to add just one more plea to your presentation, or to minimize your rhetoric, so as to present the best possible point of view. This was true even though I might not have agreed with you, because you are my kind of people and when people are your own, you desire only the best for them.

This overriding desire for the most for each of you to succeed, has drawn me very close to you. Not having a family of my own to share the triumphs and victories, and—yes—frustrations and defeats, I have adopted each of you, either knowingly or quietly, to share these experiences with. This is not only true of my legislative colleagues, but of all persons associated with the House.

Each of you has brought a unique quality to this Chamber, which has added immeasurably to any success, and I will remember you all.

Calvin Pruitt is usually the first person I see upon entering the House each morning. His friendly smile and deep concern over my health has turned many a day toward success.

Dale Green always has something going and is usually seeking to help someone. He has been a source of inspiration.

To a bachelor, the friendly smile of each of you clerks, and the permission to give you an occasional wink, has made many trying days enjoyable.

Colleagues such as Representative Lipsky with her women's liberation seemingly on the move; Representative Miller and her intense interest in ecology; Representative Shaw and her knowledge of law; and on and on, have given me many fond memories.

John Camp and his pocketful of bills, seeking to collect brownie points at the close of each session, is an experience the world should have. My good friend and apartment-mate, Grumpy Fischer, a fighter and, apparently, a cool, calculating Legislator, has a heart which is as big as he is, and a compassion for all. This I know.—John Clark has brought the vitality of youth.—Berl Priebe stands as a true example of what makes Iowa great, our agriculture. And Ivor Stanley is the only man I know who would invoke Rule 71 on himself in caucus.

I just cannot express fully, my thanks to the leadership team with whom I have been associated. Their dedication and devotion have been beyond my right to expect. At times when surely they felt me wrong, they put their own thoughts behind them to move forward with an express of unity. Andy—Floyd—Dick—Bob—you have my heartfelt thanks for a job well done.

In front of me stands a man that time does not permit me to thank enough. If this body is to move, it is because Bill Kendrick makes it so. He has the patience of Job, and his complete dedication has been to retain the enviable position attained by this body. He has been a bastian of strength to me even when I'm sure he thought me wrong. Bill Kendrick, you have made these four years a most heart warming experience. Thank you so very much.

The staff which Bill has assembled must surely be the envy of the other forty-nine states. It is small, but it is of the highest quality. Their dedication has been tremendous and their record speaks for itself. Thanks for tolerating me.

Our group of Pages has added much to our success and, once again, reassures me that our future will be in good hands. Each of you Pages has added a unique touch to this operation. I remember Sue Lynch—one day kind of needleing me—I responded curtly and I overheard her say as she left the office: "He sure thinks he's tough, doesn't he?"

Then to the person who made my office tick, I extend my deepest gratitude. Maryjo, with her impish smile, dedication, boundless energy and captivating personality, has made the office activity a tremendous success. Serving as a listening post must have been a trying experience for her, but without question she went the extra mile to make any achievement possible. I have been informed recently that I was coerced by Dolores Abels into hiring Maryjo. If these four years have been an example of coercion—coercion should be legalized. Maryjo, thank you so very, very much, it has been a heart warming experience I will never forget.

You see, what I am trying to say is that as four wonderful years as your Speaker draw to a close, I thank you individually and collectively for allowing me to fill a niche in your heart. I assure you that you have filled mine to overflowing. I just hope that I have lived up to my newly adopted slogan—"He's tough—He's fair—He's been there."

In drawing these years to a close, I give you my version of an old Irish prayer. It goes something like this:

"May the soft breezes ever fill your sails;

"May the wind always be at your back;

"May God hold you always in the palm of his hand; and

"May you be in Heaven fifteen minutes before the Devil knows you are dead."

So, as I drop the gavel for the last time as a member of the House, a place I love and respect, I extend to you a hand of thanks for a job well done.

And until we meet again—May God bless you all.

WILLIAM H. HARBOR
Speaker of the House

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Miller of Marshall, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled:

House Joint Resolution 8, House Files 6, 10, 69, 145, 556, 711, 734, 1001, 1038, 1047, 1082, 1101, 1127, 1129, 1133, 1140, 1143, 1196, 1214, 1219, 1242,

1247, 1258, 1259, 1265, 1272, 1273, 1279, 1283, 1286, 1291, 1297, 1299, and Senate Files 85, 163, 185, 202, 376, 428, 517, 1038, 1057, 1059, 1091, 1096, 1101, 1132, 1134, 1136, 1158, 1169, 1171, 1190, 1191, 1192, 1194, 1195, 1200, 1203, 1206, 1218 and Senate Joint Resolution 1008.

ELIZABETH R. MILLER
Chairman House Committee

JOHN C. RHODES
Chairman Senate Committee

Report adopted.

BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House the following bills:

House Joint Resolution 8, House Files 6, 10, 69, 145, 556, 711, 734, 1001, 1038, 1047, 1082, 1101, 1127, 1129, 1133, 1140, 1143, 1196, 1214, 1219, 1242, 1247, 1258, 1259, 1265, 1272, 1273, 1279, 1283, 1286, 1291, 1297, 1299 and Senate Files 85, 163, 185, 202, 376, 428, 517, 1038, 1057, 1059, 1091, 1096, 1101, 1132, 1134, 1136, 1158, 1169, 1171, 1190, 1191, 1192, 1194, 1195, 1200, 1203, 1206, 1218 and Senate Joint Resolution 1008.

RESOLUTION SENT TO THE SECRETARY OF STATE

Miller of Marshall, from the committee on enrolled bills, submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has on this 24th day of March, 1972, sent to the Secretary of State for deposit:

House Joint Resolution 8

ELIZABETH R. MILLER, Chairman

Report adopted.

BILLS SENT TO THE GOVERNOR

Miller of Marshall, from the committee on enrolled bills, submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this 24th day of March, 1972, sent to the Governor for his approval:

House Files 6, 10, 69, 145, 556, 711, 734, 1001, 1038, 1047, 1082, 1101, 1127, 1129, 1133, 1140, 1143, 1196, 1214, 1219, 1242, 1247, 1258, 1259, 1265, 1272, 1273, 1279, 1283, 1286, 1291, 1297 and 1299.

ELIZABETH R. MILLER, Chairman

Report adopted.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 23, 1972, he approved and transmitted to the Secretary of State the following bill:

House File 1207, an act relating to the hunting of migratory waterfowl, the issuance of stamps and the collection of fees.

A communication was received from the Governor announcing that on March 24, 1972, he approved and transmitted to the Secretary of State the following bills:

House File 1032, an act relating to resignations of school board members.

House File 1045, an act changing the local budget certification date of school districts.

House File 1075, an act to legalize and validate the proceedings of the Town Council of the Town of Stuart, in the counties of Adair and Guthrie, State of Iowa, in connection with the award of a contract for the construction of a project designated as the "1971 Stuart, Iowa, Sanitary Sewer Improvement Project".

House File 1089, an act relating to the Iowa Insurance Guaranty Association.

House File 1282, an act relating to the creation of a physicians' assistants fund and making an appropriation therefor.

House File 1292, an act to increase the allocation for construction of state institutional roads and state park roads.

AMENDMENTS FILED

- 1 Amend House File 1162, by adding the following new
- 2 section:
- 3 Sec. Chapter five hundred fifteen D, Code 1971,
- 4 is amended by adding thereto the following section:
- 5 No insurer shall be refused insurance solely because
- 6 of accident or accidents in which he was involved
- 7 but in which he was not at fault, which accident
- 8 record is shown in the department of public safety.

NORPEL of Jackson
LOGEMANN of Worth
WYCKOFF of Benton

- 1 Amend Senate File 1189 by adding the following new
- 2 section, page 3, after line 9:
- 3 Sec. Any person committed by the court to an
- 4 alcoholism center shall qualify for money appropriated
- 5 by this act.

NORPEL of Jackson

On motion by Varley of Adair, the House recessed until the fall of the gavel.

The House reconvened, Speaker Harbor in the chair.

COMMITTEE TO NOTIFY THE GOVERNOR

Fischer of Grundy moved that a committee of nine be appointed to notify the Governor that the House was ready to adjourn sine die.

The motion prevailed and the Speaker appointed as such committee Fischer of Grundy, Ellsworth of Dubuque, Hill of Polk, Stanley of Linn, Holden of Scott, Knoblauch of Carroll, Rodgers of Dallas, Doyle of Woodbury and Kinley of Polk.

COMMITTEE TO NOTIFY THE SENATE

Millen of Van Buren moved that a committee of eight be appointed to notify the Senate that the House was ready to adjourn sine die.

The motion prevailed and the Speaker appointed as such committee Millen of Van Buren, Alt of Polk, Kreamer of Polk, Den Herder of Sioux, Christensen of Union, Cochran of Webster, Franklin of Polk and Middleswart of Warren.

COMMITTEE FROM THE SENATE

The committee from the Senate appeared and notified the House that the Senate was ready to adjourn sine die.

REPORT OF THE COMMITTEE TO NOTIFY THE SENATE

The committee appointed to notify the Senate that the House was ready to adjourn sine die returned and reported it had performed its duty.

The report was received and the committee discharged.

REPORT OF THE COMMITTEE TO NOTIFY THE GOVERNOR

The committee appointed to notify the Governor that the House was ready to adjourn sine die returned and reported that it had performed its duty and that the Governor had sent the following message:

OFFICE OF THE GOVERNOR

State Capitol

Des Moines Iowa 50319

March 24, 1972

The Honorable William H. Harbor
Speaker of the House of Representatives
Sixty-fourth General Assembly
State Capitol
Des Moines, Iowa

Honorable Members of the General Assembly:

Ralph Waldo Emerson said that the reward of a thing well done is to have done it.

As the gavel falls on the second session of the Sixty-fourth General Assembly, your reward—as members of that Assembly—is a record of having done a number of things well, and of having done them in the shortest Iowa legislative session in 90 years.

In addressing you at the outset of this session, I presented a 25-point program of action, derived from my conviction that what is important is not how well the government is doing but how well the people are doing; I intended this program to contribute to our building of the good society here in Iowa.

I am pleased that you enacted 15 of the 25-points and some other bills I considered of prime importance, during the 75-calendar days of the session. Concerning my recommendations that were not adopted, I express disappointment. I pledge my best efforts to secure their adoption in the future—not because of personal vainglory on my part, but because I believe them to be in the best interests of Iowa.

You and I can share a feeling of accomplishment in the achievements of the session; we worked together to bring about judicial reform, environmental protection, amusement ride safety, junkyard and billboard control, home rule for municipalities, civil rights for the disabled and elderly, majority rights for new voters, a permanent ombudsman's office, drunken driver reform, a uniform fiscal year for all levels of Iowa government, a strengthened State Crime Commission, school lunch assistance, consumer protection by the State Commerce Commission, encouragement of low-rent housing, and a uniform state building code.

In those areas, for the most part, you concurred with the recommendations which I made to you in my address on January 10, 1972, at the beginning of the session.

We agreed also in the support of other constructive measures: expansion of educational television to all parts of Iowa as rapidly as possible, wise use of the Terrace Hill mansion, protection for sellers of livestock to Iowa meat packers, reduction of residency for voting to 30 days, financial aid to the College of Osteopathic Medicine and Surgery, activation of a Physicians Assistants Fund, authorization of a uniform manual for county and city assessors, and an increase in the fund for road construction in state parks and institutions.

Certainly your action to adopt an Occupational Safety and Health Act to continue state control under provisions of the new federal law ranks as a major accomplishment. Also significant to those engaged in agriculture were the measures that provided a checkoff for our turkey producers similar

to those already in existence for other major agricultural commodities in Iowa, continuing control to enable Iowa swine producers to maintain our present cholera-free status and to set up further safeguards against swine brucellosis.

For persons seeking more education, the act which regulates private trade and vocational schools and courses of instruction assures that Iowans will be spared the possibility of bilking by unscrupulous operators.

These advances in which you and I have collaborated fall into two broad categories: (1) government reform, and (2) help for people. Under the government reform heading come:

Establishment of a modern court system which will replace an archaic judicial structure. This will instill in Iowans greater confidence and respect for our system of justice.

Establishment of a Department of Environmental Quality to better control air and water pollution, solid waste disposal and chemical technology. This action is in the interest of environmental protection.

Adoption of a municipal home rule code that will give municipalities more freedom to govern themselves by changing the concept of municipal law from one in which cities can do only those things specifically authorized by state law to one in which cities can do anything not specifically prohibited by state law.

Establishment of a permanent Office of Citizens' Aide (ombudsman) granting, at long last, statutory recognition of a Citizens' Aide that I created by Executive Order in 1970. The ombudsman is the people's hope for unraveling the red-tape, for remedying the oversights, and repairing the injustices of government.

Establishment of a uniform fiscal year (July 1 through the following June 30) for all political subdivisions of the state, to be consistent with federal and state fiscal years.

An appropriation to the Iowa Crime Commission to match federal funds as provided by the Omnibus Crime Control Act.

A Uniform State Building Code that sets minimum standards for construction.

Revision of election laws reducing in-the-state voter residency requirements to 30 days.

Direction for the Director of Revenue to prepare and issue an appraisal manual to all county and city assessors to help achieve more uniform values.

Under the heading of "help for people", we have made this session noteworthy for the following:

Amusement ride safety by requiring inspection of most rides and concessions so that an amusement park will be a place for children's laughter, not for parents' tears.

Appropriation for the continued rapid expansion of our Educational Television Network to all parts of our state.

Regulation of billboards and junkyards along primary highways, by requiring removal of those now within 660 feet of such highways, forbidding the construction of new billboards visible from such highways, and requiring the screening of junkyards within 1,000 feet of those roadways.

Civil rights for the disabled, prohibition of age discrimination in employment, and authorization for use of school lunch facilities by senior citizen organizations.

Granting of adult rights at age 19 which, while falling short of conferring majority status to all our new voters, is a significant step in recognizing the importance of young people and the responsibilities they will shoulder.

Drunken driver rehabilitation through schools for persons convicted to earn back the privilege of operating motor vehicles on our roadways.

Appropriation of \$575,000 for matching funds in the school breakfast, lunch and minimal equipment programs.

Authorization for the Commere Commission to fix the interest rate on public utility refunds to benefit the customers.

Granting to local governing bodies the authority to provide low-rent family public housing.

Protection for sellers of livestock to Iowa meat packers.

Appropriation of \$500,000 to the College of Osteopathic Medicine and Surgery to help relieve the increasingly acute shortage of medical service in Iowa.

A \$400,000 increase in the allocation of road construction funds for state parks and institutions. Our state parks are a major asset, and every opportunity must be taken to make them of maximum accessibility and usefulness to the people.

Moreover, I congratulate you for having made Iowa the fourth state to ratify the proposed amendment to the United States Constitution guaranteeing equal rights to women, just as the first session of this General Assembly made Iowa, in 1971, the eleventh state to ratify the amendment lowering the voting age to 18 in all elections.

In that same vein, you are to be commended for granting statutory authority to the Governor's Commission on the Status of Women.

You are also to be congratulated for giving the voters of Iowa an opportunity to pass judgment, in the 1972 general election, on three proposed amendments to the Constitution: (1) to provide four-year terms for the Governor and other elected state officials; (2) to allow the Iowa Supreme Court to retire district court judges for disability or misconduct; and (3) to shift from constitutional to legislative responsibility the determination of lotteries in Iowa.

Much as I applaud your record of constructive action of this session, I must with equal sincerity point out the omissions that I think are unfortunate. These include:

A Department of Transportation, bonus for Viet Nam Veterans, a tighter pornography law, collective bargaining for public employees, stricter control on the issuance of concealed weapons permits, an appropriation for the school budget review committee to help schools with special problems, park user fees, removal of certain property tax exemptions, replacement of county school boards with protection of special educational programs and a provision to deliver auxiliary services to students regardless of where they attend school.

Furthermore, action should have been taken to close the tax loopholes on the purchase of trucks and cars, create a commission to plan for an Iowa World Food Exposition and to encourage the development in Iowa of health maintenance organizations.

I will continue to explain to the people of our state the need for passage of these important proposals, which died in the Sixty-fourth General Assembly.

In conclusion, the new reapportionment plan will undoubtedly result in many new faces in the Sixty-fifth General Assembly. Several of you have already announced that you would not seek re-election for various personal reasons.

Some of you will return however. You will bring with you to the next session the lessons learned in this session.

You have seen that the people you represent—the same people I represent—are concerned primarily with the issues that touch upon quality of life and with practical means of achieving the goals which lay before us.

In your pursuit of good legislation as in other enterprises, let us proceed together with the practical wisdom of the perceptive man who said: "We should believe only in deeds; words go for nothing everywhere."

Sincerely,

ROBERT D. RAY,
Governor

The report was received and the committee discharged.

FINAL ADJOURNMENT

By virtue of Senate Concurrent Resolution 134, duly adopted, the day of March 24, 1972, having arrived, the Speaker of the House declared the House of Representatives of the Sixty-fourth General Assembly, Second Regular Session (1972), adjourned sine die.

SUPPLEMENT TO THE HOUSE JOURNAL

BILLS AND RESOLUTION APPROVED SUBSEQUENT TO ADJOURNMENT

The following is a record of the action of the Governor on bills and joint resolutions passed by the Second Regular Session of the Sixty-fourth General Assembly and which action was had subsequent to the date of final adjournment:

- H. F. 6—To establish a state building code, provide for its administration, provide for the setting of fees, and provide a penalty for violation of code or orders issued thereunder. Approved April 21, 1972.
- H. F. 10—Relating to the maintenance of access roads. Approved April 22, 1972.
- H. F. 69—Relating to errors and omissions insurance for county officers and employees. Approved April 21, 1972.
- H. F. 107—Relating to the use of school lunch facilities by senior citizen organizations. Approved April 1, 1972.
- H. F. 145—To provide an excise tax on the sale of turkeys and providing a penalty for certain violations of this act. Approved April 21, 1972.
- H. F. 556—Relating to actions arising out of the rendition of services under the Uniform Anatomical Gift Act. Approved April 21, 1972.
- H. F. 671—Relating to the disposal or transfer of abandoned, repairable, or stolen motor vehicles, and providing a penalty. Approved April 21, 1972.
- H. F. 711—Relating to liability arising out of the use of snowmobiles, to registration and safety regulations for snowmobiles and providing a penalty for the violation thereof. Approved April 21, 1972.
- H. F. 734—Relating to the state's compliance with the federal Highway Beautification Act regarding junkyard and billboard standards and providing penalties. Approved March 29, 1972.
- H. F. 1001—Relating to the safety inspection and regulation of amusement rides, devices, and related electrical equipment, providing for the imposition and collection of inspection fees, and providing penalties for violations. Approved April 20, 1972.
- H. F. 1011—Relating to the attainment of the age of majority. Approved April 19, 1972.
- H. F. 1038—Relating to endurance contests and the penalty for participating therein. Approved April 21, 1972.
- H. F. 1047—Relating to the lending and investing powers of savings and loan associations. Approved April 21, 1972.
- H. F. 1082—Relating to a course for persons convicted of operating a motor vehicle while under the influence of an alcoholic beverage, pro-

viding for the revocation of drivers licenses, providing for fees and providing a penalty. Approved April 20, 1972.

- H. F. 1101—To legalize and validate proceedings for the establishment, organization, formation, and changes in the boundaries of merged area school systems. Approved April 21, 1972.
- H. F. 1127—Relating to a penalty for the possession or consumption of alcoholic liquors or beer on public school property or while attending school-related functions. Approved April 21, 1972.
- H. F. 1129—Relating to a maximum mileage payment for members of the board of supervisors in counties of forty thousand population or less. Approved April 22, 1972.
- H. F. 1133—Making corrective amendments to the "Iowa Beer and Liquor Control Act". Approved April 21, 1972.
- H. F. 1140—To establish a commission on the status of women and to define its powers and duties. Approved April 19, 1972.
- H. F. 1141—Relating to unfair trade practices in the business of insurance and providing a penalty. Approved April 21, 1972.
- H. F. 1143—Relating to installment loans by state banks. Approved April 21, 1972.
- H. F. 1147—Relating to the election laws and providing penalties for violations thereof. Approved March 29, 1972.
- H. F. 1196—Relating to the planning for and conversion of Terrace Hill for use as a governor's mansion. Approved April 18, 1972.
- H. F. 1203—Relating to erroneous and obsolete references in the Code of Iowa. Approved April 1, 1972.
- H. F. 1214—Relating to funding of the merit system pay plan and making an appropriation. Approved April 21, 1972.
- H. F. 1219—Related to the destruction of undesirable fish. Approved April 21, 1972.
- H. F. 1242—To establish a commission on compensation, expenses, and salaries for elective state officials and constitutional judicial officers. Approved April 21, 1972.
- H. F. 1247—Making appropriations to the educational radio and television facility board for the purpose of making capital improvements. Approved April 20, 1972.
- H. F. 1258—To amend Chapter 183, Acts of the Sixty-fourth General Assembly relating to motor vehicle inspection. Approved April 21, 1972.
- H. F. 1259—Relating to the use of motor vehicle "registration applied for" cards. Approved April 21, 1972.
- H. F. 1265—Relating to the 1972 primary election. Approved March 31, 1972.

- H. F. 1269—Amending the state school foundation program in chapter one hundred sixty-five (165), Acts of the Sixty-fourth General Assembly, First Session. Approved April 22, 1972.
- H. F. 1272—Relating to bonded warehouses. Approved April 21, 1972.
- H. F. 1273—Relating to regulation of advertising and selling of courses of instruction. Approved April 21, 1972.
- H. F. 1279—Authorizing exercise of a purchase-option by the executive council and appropriating funds therefor. Approved April 21, 1972.
- H. F. 1283—Relating to income tax of nonresidents. Approved April 21, 1972.
- H. F. 1286—Relating to the sale of real property owned by a school district. Approved April 21, 1972.
- H. F. 1291—Relating to the establishment of an office of citizens' aide, his duties, and providing penalties and making an appropriation. Approved April 20, 1972.
- H. F. 1297—Relating to continuation of the study of the state mental health institutes and the existing institutions for juveniles under the department of social services. Approved April 21, 1972.
- H. F. 1299—Making an appropriation for the purpose of implementing and administering a state building code. Approved April 21, 1972.
- S. F. 85—Creating a department of environmental quality, specifying its powers, duties, and functions, and providing penalties for violations thereof. Approved April 21, 1972.
- S. F. 163—Relating to retirement systems for policemen and firemen. Approved April 21, 1972.
- S. F. 185—Combining the present county fund for mental health with the state institution fund, redesignating the latter as the county mental health and institutions fund, prescribing the purposes for which such fund may be used, and authorizing a levy therefor. Approved April 22, 1972.
- S. F. 202—Relating to changing of names by individuals. Approved April 1, 1972.
- S. F. 376—Relating to vehicle equipment requirements. Approved April 22, 1972.
- S. F. 428—Providing a unified trial court having district court judges, district associate judges, and judicial magistrates; to discontinue inferior courts; to establish traffic violations offices within the district court to receive uniform traffic violation penalties; to prescribe procedures for district courts, and providing penalties. Approved April 20, 1972.
- S. F. 470—Relating to deferred compensation for governmental employees. Approved April 22, 1972.
- S. F. 517—To revise, update, and correct certain sections of the Code of Iowa relating to school districts and school corporations. Approved April 22, 1972.

- S. F. 1038—Relating to eminent domain. Approved April 22, 1972.
- S. F. 1057—Relating to exceptions to the time limits during which certain civil actions must be brought. Approved April 22, 1972.
- S. F. 1059—Relating to the authority of merged areas to borrow money in anticipation of the collection of a voted tax for school facilities. Approved April 22, 1972.
- S. F. 1091—Making an appropriation to the department of public instruction for the purpose of participating in certain federal programs. Approved April 1, 1972.
- S. F. 1096—Relating to tax assessment procedures. Approved April 22, 1972.
- S. F. 1101—Relating to the taxation of real estate transfers and the penalty for failure to comply. Approved April 22, 1972.
- S. F. 1132—Correcting erroneous, inconsistent, and obsolete sections of the Code of Iowa, including some penalty sections. Approved April 22, 1972.
- S. F. 1134—Relating to the regulation of trout fishing. Approved April 22, 1972.
- S. F. 1136—Providing financial benefits for the education of children of persons classified as prisoners of war or missing in action in Viet Nam. Approved April 22, 1972.
- S. F. 1158—Relating to certain municipalities' pollution control facilities and sewage construction projects. Approved April 22, 1972.
- S. F. 1169—Relating to references to the Internal Revenue Code in the computation of individual and corporate income tax and franchise tax. Approved April 1, 1972.
- S. F. 1171—Related to licensing of vehicles from which food and dairy products are sold. Approved April 22, 1972.
- S. F. 1182—Appropriating funds from the general fund of the state of Iowa to the Iowa crime commission for the purpose of matching federal funds to support certain activities within local government units and creating a legislative advisory committee. Approved April 22, 1972, with the exception of Sections 5, 6, 7, 8, 9, 10 and 11. See Governor's item veto message.
- S. F. 1191—Relating to busines corporations. Approved April 22, 1972.
- S. F. 1192—Relating to the control of dangerous substances and the board of pharmacy. Approved April 22, 1972.
- S. F. 1194—Relating to the Iowa Probate Code. Approved April 22, 1972.
- S. F. 1195—Relating to the drawing of grand jurors. Approved April 22, 1972.
- S. F. 1200—Relating to control of swine brucellosis. Approved April 1, 1972.
- S. F. 1203—Making an appropriation from the general fund of the state to the department of public defense for various capital improve-

ments, and providing for emergency helicopter ambulance service. Approved April 22, 1972.

S. F. 1206—Relating to the method of paying state employees. Approved April 22, 1972.

S. F. 1218—Relating to occupational safety and health, providing appropriations to carry out the provisions of this Act, and providing penalties for violations. Approved April 20, 1972.

S.J.R. 1008—Ratifying a proposed amendment to the Constitution of the United States relative to equal rights for men and women. Approved April 21, 1972.

GOVERNOR'S ITEM VETO MESSAGE

(Senate File 1182, Item 5, Section 5; Item 6, Section 6; Item 7, Section 7; Item 8, Section 8; Item 9, Section 9; Item 10, Section 10; Item 11, Section 11)

April 22, 1972

The Honorable Melvin D. Synhorst
Secretary of State
State Capitol
Local

Dear Mr. Synhorst:

I hereby transmit Senate File 1182, an act to appropriate funds from the General Fund of the State of Iowa to the Iowa Crime Commission for the purpose of matching federal funds to support certain activities within local government units and creating a legislative advisory committee.

Senate File 1182 is approved April 22, 1972, with the following exceptions which I hereby disapprove.

I am unable to approve Item 5 designated as Section 5 in the Act which reads as follows:

"Sec. 5. There is hereby created a legislative advisory committee to the Iowa crime commission composed of six members. Three members shall be appointed from the senate by the lieutenant governor and three members from the house of representatives by the speaker of the house. The Iowa crime commission, prior to implementing any program, subsequent to July 1, 1972, shall consult with and receive the advice of the legislative advisory committee. The commission does not have to accept any advice offered by the committee. Prior to consulting with its legislative advisory committee the Iowa crime commission shall submit to such committee, in writing, a concise statement of the guidelines used to implement such program and the objectives to be obtained or accomplished by such program; what portion of its appropriation and allocation of federal funds will be utilized to accomplish each guideline and objective; the unit cost basis for implementing the guidelines and objectives; and any other information the committee may request."

I am unable to approve Item 6 designated as Section 6 in the Act which reads as follows:

"Sec. 6. If federal guidelines permit and the Iowa crime commission allocates the necessary funds, the legislative advisory committee shall establish a post audit evaluation of selected programs of the crime

commission. The committee shall utilize the services of the legislative fiscal director who shall employ such additional personnel as is needed and supervise such personnel in accomplishing the post audit evaluation of the programs designated by the committee. Such personnel shall be the employees of the fiscal director."

I am unable to approve Item 7 designated as Section 7 in the Act which reads as follows:

"Sec. 7. The individual performing the post audit evaluation shall, in respect to each program to be evaluated, determine the number of individuals who have participated in and benefited from such program; establish a unit cost basis for accomplishing the guidelines and objectives reported pursuant to section five (5) of this Act; determine the amount spent for planning, administrative salaries, office salaries, office space, equipment, overhead, and support and the allocation thereof to each guideline and objective; determine the amount of any state and federal funds actually reaching the persons to be benefited in the form of a direct service or benefit; and determine any other criteria which will indicate if the benefits to be derived from the program are justified by the costs of such program."

I am unable to approve Item 8 designated as Section 8 in the Act which reads as follows:

"Sec. 8. The individual performing the post audit evaluation shall file a written report with the committee concerning all of his examinations and audits required in sections five (5) and seven (7) of this Act and also send a copy thereof to the Iowa crime commission and local government or combination of such units who after receiving, examining, and studying such report shall file, within a reasonable period of time, with the committee its written response thereto specifically answering any alleged illegal expenditures, unbusinesslike practices, excessive personnel, excessive personnel positions, inefficient and uneconomical implementation of a program, and any other specific criticisms and recommendations made in the report. All such reports and responses thereto shall be a public record."

I am unable to approve Item 9 designated as Section 9 in the Act which reads as follows:

"Sec. 9. The legislative advisory committee shall meet to consider the reports filed and the responses filed thereto and when there has been reported any illegal expenditures, unbusinesslike practices, utilization of excessive personnel or personnel positions, inefficient or uneconomical implementation of a program, or a program which is not accomplishing its purpose, the committee shall hold a public hearing thereon where the sworn testimony of the individual performing the post audit evaluation and personnel of the Iowa crime commission and local government or combination of such units involved shall be received, and the committee may request any other evidence or testimony it deems relevant and material."

I am unable to approve Item 10 designated as Section 10 in the Act which reads as follows:

"Sec. 10. The legislative advisory committee shall submit to the general assembly within thirty days of its next convening a written report of its audits and public hearings and any recommendations it may have based thereon."

I am unable to approve Item 11 designated as Section 11 in the Act which reads as follows:

"Sec. 11. Any general local government, a unit thereof, and combinations of such units that receive any federal or state funds pursuant to action of the Iowa crime commission shall, upon request of the legislative advisory committee to the Iowa crime commission, cooperate in the conducting of any such post audit evaluation and appear and testify upon request."

I have disapproved Sections 5, 6, 7, 8, 9, 10, and 11 of Senate File 1182 because they violate the constitutional separation of the legislative and executive branches of government. If the Legislative Advisory Committee performed its duties under these Sections and exercised the powers given to it, the Committee would be effectively acting in an executive capacity or using delegated legislative powers. In either situation, they would be acting unconstitutionally. (1963 OA6 44, June 14, 1963)

These Sections require the Iowa Crime Commission to consult with and receive the advice of the Legislative Advisory Committee prior to implementing any program. While "The Commission does not have to accept any advice offered by the Committee," it is obvious that legislative support including appropriations to the Commission may very well depend on acceptance of such "advice."

Section 6 calls for the allocation of Iowa Crime Commission funds for the Legislative Advisory Committee to hire personnel for their own administrative direction.

Federal Bureau of the Budget Circular A-87 prohibits such expenditures.

A great deal of duplication of effort is inherent in these Sections relative to the Legislative Advisory Committee. More specifically, Section 5 requires a concise statement of guidelines, analysis of apportionment of funds to programs, unit cost basis for implementation, and submission of any other information the committee may request. Section 6 establishes a post audit evaluation of selected programs and authorizes employment of additional personnel by the legislative fiscal director. Section 11 calls upon local governments to appear and testify before the Committee.

The Iowa Crime Commission is a widely representative body. Its members include legislators of both houses of the General Assembly. A staff is employed which does considerable evaluation work both at the planning stage and following the awarding of grants. Funds are subject to audit review by the State Auditor and by the Federal Law Enforcement Assistance Administration as well as by the State Crime Commission itself. Full scale audits of the Commission functions are continually being conducted by these agencies.

In addition, local crime commissions are composed of local citizens who represent both the public and private sectors. These local commissions are responsible for justification, implementation and evaluation of their programs and projects.

In addition to representation on the Commission itself by legislators, annual reports are provided to each member of the General Assembly. Information on specific grants is readily available upon request to any legislator concerned about his district or about the Crime Commission or its activities in general. Members of the Commission and staff are already available to testify at hearings or otherwise at any reasonable time.

The Crime Commission, as is true with other agencies of state govern-

ment, must be subject to close scrutiny. There are provisions for this purpose that are being used.

If this bill became law, legislators would be required to devote considerable time to commission work which would only duplicate the effort of responsible members of the Commission and staff. In addition to the usurpation of legislative power, such action would also be delaying and highly inefficient in both time and effort.

For these reasons I hereby disapprove these seven items as provided in the amendment to the Constitution of the State of Iowa adopted in 1968. All other items of Senate File 1182 are hereby approved this date.

Sincerely,
ROBERT D. RAY
Governor

GOVERNOR'S VETO MESSAGE
(Senate File 1190)

April 22, 1972

The Honorable Melvin D. Synhorst
Secretary of State
State Capitol
Local

Dear Mr. Synhorst:

Senate File 1190, Second Session of the 64th General Assembly, an Act relating to the regulation of county homes, is hereby disapproved and in accordance with Article III, Section 16, Constitution of the State of Iowa is hereby transmitted to the Secretary of State.

Dignity of life belongs to all people not only to those who can afford a choice.

This Bill assumes that county homes need different regulations than other similar kinds of health care facilities and that lesser standards are acceptable for patients of county homes which are not adequate for any of our other citizens.

Our Iowa Code (135C.2.1) provides for the promotion and encouragement of adequate and safe care and housing for individuals who are aged or who, regardless of age, are infirm, convalescent, or mentally or physically dependent, by both public and private agencies, by providing for the adoption and enforcement of rules, regulations and standards for the adequate care, health, welfare and safety of such individuals.

It is imperative that all patients living in Iowa health care facilities be equally protected by Iowa laws and regulations.

Only last Wednesday the legislative Rules Review Committee approved new rules under existing law.

This Act, if allowed to become law, would establish a special interest board (County Home Liaison Board) which would negotiate different rules and regulations for its own facilities, and distinctly exclude these facilities from the rules and regulations applicable to other custodial homes. No representatives of the public or of the patients are on the board, only county home staff and county supervisors.

The precedent which would be established by this law would encourage health care facilities at all levels of care to demand special interest liaison

boards to advocate special classifications of rules and regulations for themselves.

If the purpose of this bill was to provide care for patients equal to minimum standards for other facilities of the same category, then the bill was not necessary. If its purpose was for lower standards then it shocks the conscience.

The bill provides for a duplication of inspection responsibilities.

There are 82 County Homes in existence in Iowa at this time, with a total of 5,980 beds. With a yearly inspection of each home required, it is also a duplication of monetary expense to maintain two inspection authorities. The State would continue to pay for one. The other would impose a new expense on counties.

Furthermore, I am advised by our Department of Social Services, that Section 3 of the Bill intended to extend old age assistance for residents in "county-owned skilled nursing homes" might jeopardize federal matching funds. All such grants might be 100% state funds instead of 58% federal and 42% state.

All citizens of Iowa, including those 5,980 human beings in county homes, deserve the protection of uniform regulation in health care facilities, regardless of their financial status, mental or physical condition. To allow different and special considerations for certain custodial homes in Iowa is to ignore the common human needs of all people living in them.

Sincerely,

ROBERT D. RAY,
Governor

COMMUNICATIONS FROM THE SECRETARY OF STATE

April 4, 1972

Mr. William R. Kendrick
Chief Clerk of the House
State Capitol Building
Des Moines, Iowa 50319

I hereby certify that Senate File 1019, was published in The Sioux County Index-Reporter, Hull, Iowa, March 16, 1972, and in The Marion Sentinel, Marion, Iowa, March 23, 1972.

I further certify that House File 367, was published in the Hampton Chronicle, Hampton, Iowa, March 23, 1972, and in the Chariton Herald-Patriot, Chariton, Iowa, March 23, 1972.

I further certify that House File 1074, was published in the Ames Daily Tribune, Ames, Iowa, March 23, 1972, and in The Boone News-Republican, Boone, Iowa, March 24, 1972.

I further certify that House File 1213, was published in The DeWitt Observer, DeWitt, Iowa, March 23, 1972, and in The Guttenberg Press, Guttenberg, Iowa, March 22, 1972.

I further certify that House File 1176, was published in the Fort Dodge Messenger and Chronicle, Fort Dodge, Iowa, March 27, 1972, and in The Washington Evening Journal, Washington, Iowa, March 23, 1972.

Respectfully submitted,

MELVIN D. SYNHORST
Secretary of State

April 13, 1972

Mr. William R. Kendrick
Chief Clerk of the House
State Capitol Building
Des Moines, Iowa 50319

I hereby certify that House File 1147 was published in the Times-Democrat, Davenport, Iowa, April 4, 1972, and in The Muscatine Journal, Muscatine, Iowa, April 7, 1972.

I further certify that House File 1265 was published in The Muscatine Journal, Muscatine, Iowa, April 7, 1972, and in the Times-Democrat, Davenport, Iowa, April 10, 1972.

Respectfully submitted,
MELVIN D. SYNHORST
Secretary of State

April 27, 1972

Mr. William R. Kendrick
Chief Clerk of the House
State Capitol Building
Des Moines, Iowa 50319

I hereby certify that House File 1071 was published in the Audubon News-Advocate, Audubon, Iowa, March 30, 1972, and in the Audubon County Journal, Exira, Iowa, April 6, 1972.

I further certify that House File 1075 was published in the Adair County Free Press, Greenfield, Iowa, April 12, 1972, and in the Guthrie Center Times, Guthrie Center, Iowa, April 12, 1972.

Respectfully submitted,
MELVIN D. SYNHORST
Secretary of State

May 18, 1972

Mr. William R. Kendrick
Chief Clerk of the House
State Capitol Building
Des Moines, Iowa 50319

I hereby certify that Senate File 1057 was published in The Story City Herald, Story City, Iowa, May 10, 1972, and in the Emmetsburg Reporter, Emmetsburg, Iowa, May 2, 1972.

I further certify that Senate File 1059 was published in The Sioux City Journal, Sioux City, Iowa, April 28, 1972, and in The Denison Bulletin, Denison, Iowa, May 2, 1972.

I further certify that Senate File 1158 was published in the Globe-Gazette, Mason City, Iowa, May 2, 1972, and in the Clear Lake Mirror-Reporter, Clear Lake, Iowa, May 3, 1972.

I further certify that Senate File 1192 was published in the Times-Democrat, Davenport, Iowa, April 28, 1972, and in the Lee Town News, Des Moines, Iowa, May 4, 1972.

I further certify that House File 1001 was published in the Lee Town News, Des Moines, Iowa, May 4, 1972, and in The Daily Gate City, Keokuk, Iowa, May 5, 1972.

I further certify that House File 1133 was published in The Bellevue Herald-Leader, Bellevue, Iowa, May 4, 1972, and in the Lee Town News, Des Moines, Iowa, May 4, 1972.

I further certify that House File 1236 was published in The Cascade Pioneer-Advertiser, Cascade, Iowa, May 4, 1972, and in The Telegraph-Herald, Dubuque, Iowa, April 28, 1972.

Respectfully submitted,
MELVIN D. SYNHORST
Secretary of State

IN MEMORIAM

House

Memorials adopted by the House of Representatives of the Sixty-fourth General Assembly, Second Regular Session, commemorating the life, character, and public service of former members who had departed this life since the last regular session of the General Assembly.

BOGENRIEF, MATTIE BELLE	October 12, 1912—June 14, 1971
BYERS, WILLIAM F.	June 11, 1893—February 25, 1969
DONOHUE, DUANE A.	September 26, 1911—November 16, 1971
ROBSON, PAUL N.	April 24, 1895—August 12, 1971
SWISHER, SCOTT	July 15, 1919—February 6, 1972
VARNEY, CHARLES	March 22, 1903—February 10, 1972
WIER, FRED E.	January 3, 1892—January 12, 1971
WOLFE, HAROLD E.	January 2, 1900—November 29, 1971

MATTIE BELLE BOGENRIEF

MR. SPEAKER: Your committee, appointed to prepare a suitable resolution commemorating the life, character, and public service of the late Honorable Mattie Belle Bogenrief, begs leave to submit the following memorial:

Mattie Belle Bogenrief was born October 12, 1912, in Duluth, Minnesota and later moved to Tabor, Iowa. She was a graduate of Tabor High School and St. Mary's College in Maryville, Missouri.

Mrs. Bogenrief moved to Des Moines, Iowa where she had been active in county and state politics since 1940. She was a democrat and served as State Representative from Polk County in the Sixty-first General Assembly.

Mrs. Bogenrief married Carl Bogenrief, Polk County Treasurer, and to this union was born a daughter and a son.

Mrs. Bogenrief passed away on June 14, 1971, and is survived by her husband Carl, daughter DeAnette Kost of Richton Park, Illinois, and son Donald of Columbus, Ohio, and four grandchildren.

Therefore, Be It Resolved by the House of Representatives of the Sixty-fourth General Assembly of Iowa: That in the passing of the Honorable Mattie Belle Bogenrief, the state has lost an honored citizen and a faithful and useful public servant, and the House by this resolution would express its appreciation of her service, and tender its sympathy to the members of the family.

Be It Further Resolved: That a copy of this resolution be spread upon the Journal of the House, and that the Chief Clerk be directed to forward an enrolled copy to the family of the deceased.

A. JUNE FRANKLIN
NORMAN G. JESSE
GEORGE R. KINLEY
Committee

 WILLIAM F. BYERS

MR. SPEAKER: Your committee, appointed to prepare a suitable resolution commemorating the life, character, and public service of the late Honorable William F. Byers begs leave to submit the following memorial:

William F. Byers was born near Lima, Iowa on June 11, 1893, the son of W. F. and Emma S. Byers. At the age of six years, he and his family moved to a farm southeast of West Union, where he attended the rural school, and in 1913 graduated from West Union high school.

Mr. Byers chose farming as his profession, and traveled extensively in Europe, Asia, South Seas, West Indies, and many other tropical countries. He enlisted in the United States Army in 1917, fought with the 13th F. A. in France, rose to rank of Sergeant, and was discharged from the army in August of 1919.

Mr. Byers was a member of the Fayette County Farm Bureau and the Isaac Walton League. He was a Republican, and served as State Representative from Fayette County in the 43rd General Assembly.

Mr. Byers passed away on February 25, 1969. He had never married, and is survived by two cousins, Mrs. Walker Briggs of Fayette, Iowa and Mr. Howard Richmond of Cass Lake, Minnesota.

Therefore, Be It Resolved by the House of Representatives of the Sixty-fourth General Assembly of Iowa: That in the passing of the Honorable William F. Byers, the state has lost an honored citizen and a faithful and useful public servant, and the House by this resolution would express its appreciation of his service, and tender its sympathy to the members of the family.

Be It Further Resolved: That a copy of this resolution be spread upon the Journal of the House, and that the Chief Clerk be directed to forward an enrolled copy to the family of the deceased.

MAYNARD MENEFFEE
JOHN B. MENDENHALL
DALE TIEDEN

Committee

DUANE A. DONOHUE

MR. SPEAKER: Your committee, appointed to prepare a suitable resolution commemorating the life, character, and public service of the late Honorable Duane A. Donohue, begs leave to submit the following memorial:

Duane A. Donohue was born in Cedar County, Iowa, on September 26, 1911. He was the son of Wilbur and Pearl Donohue. He graduated from the Tipton High School in 1930, and from the State University of Iowa in 1936. He attended law college at State University of Iowa during the years of 1935 and 1936.

Mr. Donohue married Darlene Kesler on January 2, 1943. To this union were born two sons and one daughter.

Mr. Donohue, a Republican, served in the House of Representatives in the Fiftieth, Fiftieth Extra, Fifty-first, Fifty-second, Fifty-second Extra, and Fifty-third General Assemblies. He served on the precinct, county, district and state level and maintained a close association with political leaders in Des Moines and Washington, D. C.

Mr. Donohue was engaged in business as Real Estate Broker since 1936. He was affiliated with Delta Chi Fraternity, was a member of Tipton Chamber of Commerce, Greater Tipton Club, First Methodist Church of Tipton, Masonic Lodge, the Shrine, and Moose Lodge.

Mr. Donohue passed away at Cedar Manor Nursing Home in Tipton on November 16, 1971, following a long illness. Services were held at the Methodist Church, Tipton, and burial at the Masonic Cemetery. Surviving are his widow, Darlene of Tipton; two sons, William Donohue of Traverse City, Michigan; David Donohue of LaPorte City, Iowa; a daughter, Mrs. Robert (Cathie) Plaehn of Dickinson, North Dakota; his parents, and one sister, Geraldine Ramsey of Tipton, Iowa.

Therefore, Be It Resolved by the House of Representatives of the Sixty-fourth General Assembly of Iowa: That in the passing of the Honorable

Duane A. Donohue, the state has lost an honored citizen and a faithful and useful public servant, and the House by this resolution would express its appreciation of his service, and tender its sympathy to the members of his family.

Be It Further Resolved: That a copy of this resolution be spread upon the Journal of the House, and that the Chief Clerk be directed to forward an enrolled copy to the family of the deceased.

HOWARD A. HAMILTON
RICHARD F. DRAKE
KEITH H. DUNTON
Committee

PAUL N. ROBSON

MR. SPEAKER: Your committee, appointed to prepare a suitable resolution commemorating the life, character, and public service of the late Honorable Paul N. Robson, begs leave to submit the following memorial:

Paul N. Robson was born on April 24, 1895 on a farm near Saxon, Illinois. He came to Iowa in the spring of 1896 with his parents, who located on a farm near Scranton. He received his education in the rural schools and the high school at Scranton, attended Iowa State College at Ames, graduating in 1919, after which he followed a vocation of farming.

Mr. Robson was married to Charlotte Aughey on November 25, 1919, and to this union was born one son.

Mr. Robson was active in the United Methodist Church, having been on the official board and served as Sunday School superintendent and treasurer. A veteran of World War I, he was a member and past commander of Scranton Post No. 344, American Legion. He was a member and past master of Golden Gate Lodge No. 402, A.F. & A.M., a member and past patron of Crescent Chapter No. 7, Order of the Eastern Star. He also belonged to the Farm Bureau and Alpha Sigma Phi fraternity. He had served on the Scranton school, telephone and elevator boards as well as the Greene County Fair Board and the R.E.C. Board.

He was a member of the Republican party and was elected to the House of Representatives in 1922, serving as Representative from Greene County in the Fortieth and Fortieth Extra sessions of the General Assembly.

Mr. Robson passed away August 12, 1971, at St. Anthony Regional Hospital in Carroll. He is survived by his wife, Charlotte Robson, a son, Warren Robson of Scranton, a foster daughter, three sisters and three grandchildren.

Therefore, Be It Resolved by the House of Representatives of the Sixty-fourth General Assembly of Iowa: That in the passing of the Honorable Paul N. Robson, the state has lost an honored citizen and a faithful and useful servant, and the House by this resolution would express its appreciation of his service, and tender its sympathy to the members of his family.

Be It Further Resolved: That a copy of this resolution be spread upon the Journal of the House, and that the Chief Clerk be directed to forward an enrolled copy to the family of the deceased.

C. RAYMOND FISHER
CHARLES E. KNOBLAUCH
WILLIAM P. WINKELMAN
Committee

SCOTT SWISHER

MR. SPEAKER: Your committee, appointed to prepare a suitable resolution commemorating the life, character, and public service of the late Honorable Scott Swisher, begs leave to submit the following memorial:

Scott Swisher was born at Iowa City, Iowa, on July 15, 1919, the son of Ingalls and Geneva Hanna Swisher. He attended public schools at Iowa City, graduated from the University of Iowa with a bachelor of arts degree in 1942, and received his law degree from the University of Iowa College of Law in 1943. He and Nancy J. IlgenFritz of Winterset, Iowa, were married in 1943.

Mr. Swisher, representing Johnson County, served as a member of the Fifty-sixth, Fifty-seventh, Fifty-eighth, Fifty-ninth, and Sixtieth Sessions of the Iowa General Assembly. A member of the House of Representatives and a Democrat, he served from 1955 to 1964. From 1956 to 1958, he was minority floor leader and, in 1959, was named outstanding state representative by members of the news media covering the legislature. He was a member of the Budget and Financial Control Committee from 1959 to 1963 and also served on the Governor's Board of Penal Affairs.

Twice a delegate to the Democratic National Convention, he served on the party's national platform committee in 1960.

Mr. Swisher was a practicing attorney in the firm of Swisher and Swisher at Iowa City.

He held membership or office in numerous professional, civic and scholastic organizations. Included were positions as president of the Johnson County Bar Association and member of the Iowa and American Bar Associations; provincial president of Phi Delta Phi; member of ODK, Honorary Scholastic Society; member of Rotary, Phi Kappa Psi, Knights of Pythias, Eagles, Moose, Elks, Iowa Historical Society, University of Iowa Alumni Association, and the First Presbyterian Church.

Mr. Swisher passed away February 6, 1972. Services were held in Iowa City, with burial in Oakland Cemetery there. Surviving are his widow, Nancy, his son, Scott, and his daughter, Sarah, all of Iowa City. Also surviving is a brother, Robert, of Cedar Rapids, Iowa.

Therefore, Be It Resolved by the House of Representatives of the Sixty-fourth General Assembly of Iowa: That in the passing of the Honorable Scott Swisher, the state has lost an honored citizen and a faithful and useful public servant, and the House by this resolution would express its appreciation of his service, and tender its sympathy to the members of his family.

Be It Further Resolved: That a copy of this resolution be spread upon the Journal of the House, and that the Chief Clerk be directed to forward an enrolled copy to the family of the deceased.

JOSEPH C. JOHNSTON
ARTHUR A. SMALL, JR.
KEITH H. DUNTON
Committee

CHARLES VARNEY

MR. SPEAKER: Your committee, appointed to prepare a suitable resolution commemorating the life, character and public service of the late Honorable Charles Varney, begs leave to submit the following memorial:

Charles Varney was born in Clinton, Iowa, on March 22, 1903. He was the son of Elmer and Enga Varney.

Mr. Varney married Jessie Merle Steffey on January 2, 1926 and to this union was born one son.

Mr. Varney's formal education ended after four years in a one-room school house on Beaver Island near Clinton. However, he transcended the bounds of formal schooling to achieve a record of leadership and service to his fellowman, his community and the State of Iowa that is, indeed, outstanding.

Mr. Varney, an employee of the Clinton Corn Processing Company before he retired in 1968, was president of both the Grain Millers Union and the Clinton Labor Congress. He was a member of the executive board of the Clinton American Red Cross, the Solicitation Review Board, the Clinton County Democratic Central Committee and was a social member of the Clinton Eagle Lodge. He also served as precinct committeeman and vice president of the second district COPE (Committee on Political Education). Mr. Varney was an active member of the Chancy Lutheran Church and was well known in the community for his work with the elderly.

Mr. Varney, a Democrat, was elected to the House of Representatives in 1964 and served one two year term.

Mr. Varney passed away on February 10, 1972. He is survived by his widow, Jessie; a son Donald W., of rural Clinton; two grandchildren and one great-grandchild.

Therefore, Be It Resolved by the House of Representatives of the Sixty-fourth General Assembly of Iowa: That in the passing of the Honorable Charles Varney, the state has lost an honored citizen and a faithful and useful public servant, and the House by this resolution would express its appreciation of his service, and tender its sympathy to the members of the family.

Be It Further Resolved: That a copy of this resolution be spread upon the Journal of the House, and that the Chief Clerk be directed to forward an enrolled copy to the family of the deceased.

JOHN CAMP
RICHARD J. NORPEL
CHARLES H. PELTON
Committee

FRED E. WIER

MR. SPEAKER: Your committee, appointed to prepare a suitable resolution commemorating the life, character, and public service of the late Honorable Fred E. Wier, begs leave to submit the following memorial:

Fred E. Wier was born on a farm at Letts, Louisa County, Iowa, January 3, 1892, son of Henry M. and Rose Wier. He was educated in the public schools of Louisa County. On June 22, 1922, at Muscatine, Iowa, he was united in marriage to Anna Beik, and to this union was born a daughter.

Mr. Wier served in World War I, and was a member of the American Legion, Rotary, and Farm Bureau. He was a life resident of the Grandview community and was active in Grandview Community Church, serving as Sunday school superintendent for 27 years. His many activities include serving on the Grandview Consolidated school board, chairman of Louisa County Farm Bureau, member of Grandview Cooperative Telephone Company, County Agricultural Stabilization and Conservation Committee. Aside from being a retired farmer he was director of the Columbus Junction Bank and a salesman for the Pioneer Seed Corn Company.

Mr. Wier, a Republican, served as State Representative from Louisa County in the Fifty-eighth, Fifty-ninth and Sixtieth General Assemblies.

Mr. Wier passed away January 12, 1971, at Muscatine General Hospital, Muscatine, Iowa. Services were held at Grandview Community Church, with burial at Grandview Cemetery, Grandview, Iowa. Surviving are his wife, Anna; one daughter, Mrs. H. Richard Bieri, Letts, Iowa, two brothers, George of Muscatine and James of Waterloo, and two grandchildren.

Therefore, Be It Resolved by the House of Representatives of the Sixty-fourth General Assembly of Iowa: That in the passing of the Honorable Fred E. Wier, the state has lost an honored citizen and a faithful and useful public servant, and the House by this resolution would express its appreciation of his service, and tender its sympathy to the members of his family.

Be It Further Resolved: That a copy of this resolution be spread upon the Journal of the House, and that the Chief Clerk be directed to forward an enrolled copy to the family of the deceased.

CHARLES F. STROTHMAN
HERBERT L. CAMPBELL
LLOYD F. SCHMEISER
Committee

HAROLD E. WOLFE

MR. SPEAKER: Your committee, appointed to prepare a suitable resolution commemorating the life, character and public service of the late Honorable Harold E. Wolfe, begs leave to submit the following memorial:

Harold E. Wolfe was born at Cedar Rapids, Iowa, January 2, 1900, the son of Charles W. and Mary Rosenberg Wolfe. He attended schools in Cedar Rapids and in Mason City before the family moved to Canada, where he was graduated from high school in Medicine Hat. The family returned

to Mason City where Mr. Wolfe worked with his father in a foundry business for a time. He was married to Lenna Mariner of Mason City on June 8, 1925 and to this union one son was born.

Mr. Wolfe, a Republican, served two terms in the Iowa General Assembly. He first entered the legislature in 1967 as a Representative from Cerro Gordo County. He was re-elected to a second term in the Sixty-Third General Assembly in 1969 and 1970.

Mr. Wolfe joined the Mason City Police Department in 1920. He served as Chief for 16 years, retiring from the department in 1951. He received commendation from the Federal Bureau of Investigation for his efforts in improving the Mason City department during his tenure. In 1951, he was appointed to a six year term on the Iowa Liquor Control Commission. He served the entire term as chairman of the Commission.

He was a member of the First United Methodist Church of Mason City and of the Grace Methodist Church in Des Moines. He was a member of the Hi Twelve Club, the North Iowa Shrine Club and Masonic bodies, as well as the Iowa Policemen's Association and the International and Iowa Chiefs of Police Associations. Mr. Wolfe passed away on November 29, 1971. He is survived by his wife, Lenna, a son Richard H. Wolfe of Ames, a brother, Charles Wolfe of Columbia, Missouri, and two grandchildren.

Therefore, Be It Resolved by the House of Representatives of the Sixty-fourth General Assembly of Iowa: That in the passing of the Honorable Harold E. Wolfe, the state has lost an honored citizen and a faithful and useful public servant, and the House by this resolution would express its appreciation of his service, and tender its sympathy to the members of the family.

Be It Further Resolved: That a copy of this resolution be spread upon the Journal of the House, and that the Chief Clerk be directed to forward an enrolled copy to the family of the deceased.

MURRAY C. LAWSON
KENNETH LOGEMANN
DELWYN STROMER

Committee

RECORD OF HOUSE BILLS IN HOUSE

HOUSE JOINT RESOLUTIONS AND HOUSE FILES
PASSED AND APPROVED—S3

H.J.R. 2, 8, 1004

H.F.

6, 10, 30, 69, 107, 145, 217, 219, 227, 254, 367, 391, 412,
494, 544, 556, 574, 671, 677, 680, 684, 695, 711, 734, 1001, 1011,
1012, 1014, 1015, 1016, 1032, 1036, 1038, 1042, 1045, 1047, 1052, 1071, 1074,
1075, 1082, 1084, 1089, 1099, 1101, 1104, 1117, 1120, 1129, 1133, 1140,
1141, 1143, 1147, 1176, 1196, 1203, 1207, 1213, 1214, 1219, 1242, 1247, 1253,
1257, 1258, 1259, 1265, 1269, 1272, 1273, 1279, 1282, 1283, 1286, 1291, 1292,
1297, 1299.

SENT TO SECRETARY OF STATE
H.J.R. 2, 8, 1004

BILLS VETOED BY THE GOVERNOR
H.F. 48

H. J. R.	Page	H. J. R.	Page
2 By Holden. A joint resolution proposing an amendment to the constitution of the State of Iowa relating to the appropriation of fines as provided by law.		1001 By Uban, McElroy, Shaw, Egenes, Miller, Sargisson, Lipsky, Willits, Gluba and Franklin. A joint resolution proposing an amendment to the constitution of the State of Iowa relating to equality of rights.	
Reported correctly enrolled	325	Introduced, referred to constitutional amendments and reapportionment	167
Signed by Speaker	325		
Sent to Secretary of State	325	1002 By Hill, Knoke, Schwieger, Kreamer, Pelton, Clark, Hansen and Shaw. A joint resolution proposing an amendment to the constitution of the State of Iowa relating to the age qualification of members of the General Assembly.	
5 By Gluba (Tapscott). A joint resolution proposing an amendment to the constitution of the State of Iowa relating to qualifications of electors.		Introduced, referred to constitutional amendments and reapportionment	196
Withdrawn	63	Committee report	274
		Recommended passage	274
8 By Ellsworth. A joint resolution proposing an amendment to the constitution of the State of Iowa repealing the prohibition against lotteries in order that they may be regulated by the General Assembly.		Committee report adopted	275
Reported correctly enrolled	1448	Amendments filed	306
Signed by Speaker	1449	Amendment filed	520
Sent to Secretary of State	1449		
9 By Grassley, Camp, Fischer of Grundy and Pelton. A joint resolution relating to the effective date of laws.		1003 By Ewell, Gluba, Blouin and Small. A joint resolution proposing an amendment to the constitution of the State of Iowa relating to the age qualification of the Governor, Lieutenant Governor, and members of the General Assembly.	
Committee report	199	Introduced, referred to constitutional amendments and reapportionment	196
Recommended passage	200		
Committee report adopted	211	1004 By constitutional amendments and reapportionment. A joint resolution proposing an amendment to the constitution of the State of Iowa to provide means for the	
Passed House. Ayes 91, nays 1.	238		
12 By Doyle, Rodgers, McCormick and Blouin. A joint resolution proposing an amendment to the constitution of the State of Iowa to provide a procedure for the General Assembly to convene itself into special session between regular sessions.			
Withdrawn	271		

HOUSE RECORD OF HOUSE BILLS

1477

H. J. R.	Page
General Assembly to convene itself into special session between regular sessions.	
Introduced, placed on calendar ..	212
Passed House. Ayes 85, nays none	270
Reported correctly enrolled	821
Signed by Speaker	821
Sent to Secretary of State	821
 1005 By Blouin. A joint resolution proposing an amendment to the constitution of the State of Iowa relating to persons disqualified from being electors.	
Introduced, referred to constitutional amendments and reapportionment	230
 1006 By Winkelman, Cochran, Campbell, Middleswart, Pellett, Tleden and Knoblauch. A joint resolution to require approved soil conservation practices on land in the watershed of proposed United States Army Corps of Engineers multipurpose dams prior to construction of such dams.	
Introduced, referred to environmental preservation	412
 1007 By Shaw, Hill, Campbell, Knoke, Pelton, Pierson, Moffitt, Radl, Waugh, Stanley, Kelly, Kehe, Camp, Schroeder, Lawson, Nystrom, Taylor, Ellsworth, Hansen, Schwieger and Drake. A joint resolution proposing an amendment to the constitution of the State of Iowa relating to the apportionment of the General Assembly.	
Introduced, referred to constitutional amendments and reapportionment	525
 1008 By Ewell and Gluba. A joint resolution urging the Congress of the United States to propose an amendment to the constitution of the United States to lower the age qualifications for the offices of President and Vice President of the United States, United States Senator and United States Representative.	
Introduced, referred to constitutional amendments and reapportionment	525
 H. F.	Page
 6 By Camp, Mayberry and and Lawson (Griffin, Schaben, Arbuckle and Potgeter). A bill for an act to establish a state building code, provide for its administration, provide for the setting of fees, and provide a penalty for violation of the code or orders issued thereunder.	
Message from Senate	817
Amendment filed	917
Amendment filed	957

H. F.	Page
Amendment filed	1094
Amendments lost	1139
Amendment withdrawn	1139
Lines of amendment lost	1140
Lines of amendment withdrawn ..	1140
Amendment adopted	1140
Points of order raised	1141
Motion to suspend rules to reconsider vote	1141
Motion to suspend rules to reconsider vote failed	1142
Motion filed to reconsider vote ..	1142
Motion to reconsider vote failed ..	1142
House concurred as House amended	1142
Repassed House. Ayes 71, nays 20	1142
Explanation	1143
Reported correctly enrolled	1448
Signed by Speaker	1449
Sent to Governor	1449
Signed by Governor	1456
 10 By Holden, Stromer, Priebe, Fischer of Grundy, Cochran, Rex, Dougherty, and Winkelman (Briles, Ollenburg, Griffin and Potgeter). A bill for an act relating to the maintenance of access roads.	
Reported correctly enrolled	1448
Signed by Speaker	1449
Sent to Governor	1449
Signed by Governor	1456
 30 By Holden, Stromer, Priebe, Cochran, Rex, Rodgers and Winkelman (Briles, Ollenburg, Griffin, Potgeter and Smith). A bill for an act relating to the inspection of pipeline construction over private property.	
Amendment filed	919
Amendment lost	974
Amendment filed	974
Point of order raised	974
House concurred	974
Repassed House. Ayes 79, nays 7	974
Explanation of vote	991
Reported correctly enrolled	1093
Signed by Speaker	1093
Sent to Governor	1093
Signed by Governor	1248
 33 By Holden, Stromer, Priebe, Fischer of Grundy and Dougherty (Briles, Ollenburg and Griffin). A bill for an act relating to distance requirements for pipeline regulation.	
Message from Senate	412
Amendments filed	458
Amendments lost	459
Amendment withdrawn	459
House concurred in part	460
Placed on calendar under unfinished business	460
Amendment filed	471
 48 By Schroeder. A bill for an act relating to the movement of oversized mobile homes and vehicles.	
Message from Senate	402
Motion to table	464
Tabled	465
Point of order raised	495

H. F.	Page	H. F.	Page
Motion to table out of order	495	House insisted	1282
Explanation of vote	496	Conference committee appointed	1282
Amendments filed	550	Conference committee report	1344
Amendment filed	581	Message from Senate	1359
Amendment filed	596	Conference committee report	1379
Amendment filed	598	adopted	1379
Amendments withdrawn	814	Repassed House. Ayes 82, nays	1380
Amendment lost	815	8	1380
House concurred	816	Reported correctly enrolled	1448
Repassed House. Ayes 58, nays	816	Signed by Speaker	1449
35	816	Sent to Governor	1449
Reported correctly enrolled	1093	Signed by Governor	1456
Signed by Speaker	1093		
Sent to Governor	1093	72 By Mendenhall. A bill for	
Vetoed by Governor	1247	an act relating to tuition	
		rates set by the board of	
56 By Doyle, Rex, Ellsworth,		regents.	
Andersen, Kelly, Wells, Sar-		Committee report	550
gisson, Holden, Rodgers and		Recommended passage	550
Schwartz. A bill for an act		Committee report adopted	560
relating to group insurance			
for elected county officials.		107 By Stokes and Dougherty.	
Committee report	516	A bill for an act relating to	
Recommended passage, excep-		the use of school lunch facili-	
tions	516	ties by senior citizen organ-	
Committee report adopted	524	izations.	
		Reported correctly enrolled	1405
57 By Welden, Hansen, Kehe,		Signed by Speaker	1405
Lawson, Menefee, Radl, Free-		Sent to Governor	1405
man, Stromer, Rex, Edelen,		Signed by Governor	1456
Ellsworth and Millen. A bill			
for an act relating to the ad-		145 By Rex and Hansen. A bill	
jourment of the General As-		for an act to provide an ex-	
sembly.		cise tax on the sale of tur-	
Special order	73	keys and providing a penalty	
Failed to pass House. Ayes 38,		for certain violations of this	
nays 48	73	act.	
Motion filed to reconsider vote	91	Reported correctly enrolled	1448
		Signed by Speaker	1449
64 By Dougherty, Stokes,		Sent to Governor	1449
Strand, Priebe and Schmeis-		Signed by Governor	1456
er. A bill for an act relating			
to age discrimination in em-		183 By Grassley. A bill for an	
ployment.		act relating to a method of	
Withdrawn	1075	paying the salaries of certifi-	
		ed school personnel.	
67 By Holden. A bill for an		Withdrawn	1308
act relating to fees and mile-			
age allowances of jurors.		208 By Fischer of Grundy. A	
Committee report	304	bill for an act relating to the	
Recommended amendment, pas-		regulation of public utilities	
sage	305	by the Iowa state commerce	
Committee amendment	305	commisson.	
Committee report adopted	311	Amendment filed	208
Committee amendment adopted	437		
Passed House. Ayes 79, nays 8	437	217 By Den Herder, Radl and	
		Doyle (Thordsen, Schaben,	
69 By Schroeder, Logemann,		Kennedy, Sullivan, and Rabe-	
Christensen, Kehe, Nielsen,		deaux). A bill for an act re-	
Knocke, Schwieger, Camp,		lating to the board of parole.	
Tieden, Strothman, Schmeis-		Message from Senate	990
er, Alt, Moffitt, Roorda, Pier-		House concurred	1038
son, Waugh, Strand, Mollett		Repassed House. Ayes 80, nays	
Rex, Priebe, Cochran, Radl,		1	1038
Welden, Middleswart, Dough-		Reported correctly enrolled	1115
erty, Millen, Hamilton, Kno-		Signed by Speaker	1115
blauch, Winkelman, Stromer		Sent to Governor	1115
and Holden. A bill for an act		Signed by Governor	1296
relating to errors and omis-			
sions insurance for county		219 By Social Services. A bill	
officers and employees.		for an act relating to the	
Amendment filed	33	use of carbon tetrachloride	
Amendment filed	388	fire extinguishers in migra-	
Amendment adopted	853	tory labor camps.	
Amendments withdrawn	853	Reported correctly enrolled	1115
House concurred as House		Signed by Speaker	1115
amended	853	Sent to Governor	1115
Repassed House. Ayes 68, nays	854	Signed by Governor	1296
12	854		
Message from Senate	1252		

HOUSE RECORD OF HOUSE BILLS

1479

H. F.	Page
221 By Roorda, Holden, Gluba and Johnston (Smith, Erskine, Sullivan, Coleman, Conklin, Doderer and Schaben). A bill for an act relating to a renal disease program and to provide an appropriation therefor.	
Withdrawn	783
227 By Knoke. A bill for an act relating to fee for issuance of tax deed.	
Reported correctly enrolled	821
Signed by Speaker	821
Sent to Governor	821
Signed by Governor	936
229 By Dunton. A bill for an act relating to eminent domain.	
Withdrawn	1392
235 By Shaw, Fisher of Greene and Drake (Neu, Curran, Smith and Thordsen). A bill for an act relating to rehearing and appeal procedures from Iowa State Commerce Commission action or decisions.	
Committee report	326
Recommended amendment, passage	326
Committee amendment	326
Committee report adopted	353
Committee amendment adopted	426
Passed House. Ayes 78, nays none	426
254 By Shaw. A bill for an act relating to the rate of interest which may be paid by a real estate investment trust.	
Reported correctly enrolled	325
Signed by Speaker	325
Sent to Governor	326
Signed by Governor	446
269 By Varley, Blouin, Cochran, Miller, McCormick, Dougherty, Rodgers, and Lawson (Laverty, Erskine, Curran, Milligan and Smith). A bill for an act creating a department of environmental quality, specifying its powers, duties, and functions, and providing penalties for violations thereof.	
Withdrawn	386
270 By Pierson, Middleswart, Waugh, Dougherty, Rodgers, Priebe, Roorda, Dunton and Mendenhall (Laverty and Van Drie). A bill for an act relating to the operation of aircraft.	
Committee report	386
Recommended passage	386
Committee report adopted	393
Amendment filed	551
291 By Schroeder. A bill for an act to abolish the county school system, to provide educational services through the merged areas, and to provide a method of finance.	

H. F.	Page
Committee report	642
Recommended amendment, passage	642
Committee amendment	642
Committee report adopted	659
Amendments filed	714
Amendment filed	765
Motion to substitute	837
Motion to substitute prevailed	838
Amendment filed	838
Amendment lost	840
Amendment filed	840
Amendments filed	841
Amendments adopted	841
Amendments adopted	842
Correction by Chief Clerk	842
Amendment filed	843
Amendment adopted	843
Passed House. Ayes 63, nays 28	843
Amendment filed	863
321 By Shaw, Holden, Lawson, Sorg, Ellsworth, Dunton, Rex, Egenes, Mendenhall Pellett and Lipsky (Miller, Briles, Thordsen and Doderer). A bill for an act to combine the present county fund for mental health with the state institution fund, redesignating the latter as the county mental health and institutions fund, prescribing the purposes for which such fund may be used, and authorizing a levy therefor.	
Committee report	550
Recommended passage	550
Committee report adopted	560
S.F. 185 substituted	811
Withdrawn	812
323 By Larson and Blouin. A bill for an act relating to the attainment of the age of majority.	
Withdrawn	58
354 By Jesse. A bill for an act relating to the regulation of model rocketry for educational, scientific, and recreational purposes, providing minimum standards of safety, and providing penalties.	
Committee report	581
Recommended passage	581
Committee report adopted	583
Placed on calendar	820
Passed House. Ayes 88, nays none	945
366 By Pelton, Hansen, Cochran, Drake, Lipsky and Small (Nicholson, Gaudineer Coleman, Riley, Potter, Shaff, Conklin, Sullivan, Keith, Van Gilst, Neu, Doderer and Walsh). A bill for an act relating to collective bargaining in public employment.	
Motion to withdraw from sitting	1063
Amendment filed	1320
Call of the House requested	1341
Call of the House	1341
Motion to withdraw from sitting lost	1342

H. F.	Page	H. F.	Page
367 By Lawson. A bill for an act relating to joint planning commissions.		Committee report	45
Message from Senate	950	Recommended amendment, passage	45
House concurred	977	Committee report adopted	49
Repassed House. Ayes 86, nays 1	978	Amendments filed	94
Explanation of vote	991	Amendment adopted	130
Reported correctly enrolled	1093	Committee amendment withdrawn	130
Signed by Speaker	1093	Amendment withdrawn	130
Sent to Governor	1093	Passed House. Ayes 59, nays 29	130
Signed by Governor	1248	Motion filed to reconsider vote ..	135
Became law by publication	1464	Motion filed to reconsider vote ..	135
391 By Agriculture. A bill for an act relating to the bonding of operators of slaughterhouses buying cattle, hogs, or sheep, and the bonding of agents, dealers, or brokers of such operators, and providing a penalty.		Amendment filed	140
Message from Senate	252	Motion to reconsider vote prevailed	133
House concurred	272	Amendments adopted	134
Repassed House. Ayes 81, nays 4	272	Repassed House. Ayes 58, nays 33	184
Reported correctly enrolled	821	Explanation of vote	251
Signed by Speaker	821	478 By Kreamer. A bill for an act relating to a statute of limitations on action to recover from uninsured motorist insurance.	
Sent to Governor	821	Committee report	244
Signed by Governor	936	Recommended passage	244
400 By Pierson, Kruse, Dougherty, Menefee, Stokes, Millen and Roorda. A bill for an act relating to licensing of purchasers and transporters of unprocessed grain, and providing penalties.		Committee report adopted	250
Committee report	516	Passed House. Ayes 81, nays 9 ..	301
Recommended amendment, passage	516	494 By County Government. A bill for an act relating to the transfer of portions of the primary road system into the secondary road system.	
Committee amendment	516	Committee report	163
Committee report adopted	524	Recommended amendment, passage	163
406 By Ways and Means. A bill for an act relating to use tax.		Committee amendment	163
Message from Senate	1427	Committee report adopted	166
Amendment adopted	1431	Amendment filed	208
House refused to concur	1432	Amendment adopted	216
412 By Welden, Hansen and Kehe. A bill for an act relating to administrative rules of departments of the state.		Committee amendment adopted ..	216
Message from Senate	159	Passed House. Ayes 84, nays 1 ..	216
Amendment filed	390	Explanation of vote	251
Amendment adopted	414	Reported correctly enrolled	821
House concurred as House amended	414	Signed by Speaker	821
Repassed House. Ayes 83, nays none	414	Sent to Governor	821
Reported correctly enrolled	821	Signed by Governor	936
Signed by Speaker	821	495 By Knoke. A bill for an act relating to aid to dependent children and providing penalties for violations.	
Sent to Governor	821	Committee report	45
Signed by Governor	936	Recommended amendment, passage	45
465 By Knoke. A bill for an act relating to salaries of deputy sheriffs.		Committee report adopted	49
Committee report	162	Committee amendment lost	64
Recommended passage	162	Amendment adopted	64
Committee report adopted	166	Amendment withdrawn	64
Amendment filed	185	Passed House. Ayes 76, nays 8 ..	64
Amendment withdrawn	214	501 By Franklin, Bray, Blouin, Kennedy and Johnston. A bill for an act relating to the use of temporary injunctions for discrimination in housing.	
Amendment adopted	214	Amendment filed	244
Passed House. Ayes 82, nays 1 ..	214	524 By Freeman, Fischer of Grundy, Christensen, Doyle, Sorg and Kreamer. A bill for an act relating to the definition and regulation of optometrists, establishing the state board of optometry, and providing penalties.	
Explanation of vote	251		
472 By Lawson. A bill for an act relating to local boards of health.			

H. F.	Page
Committee report	261
Recommended amendment, pas- sage	262
Committee amendment	262
Committee report adopted	265
Amendment filed	349
Amendment filed	427
Amendment filed	446
Amendment filed	471
Amendment filed	472
Lines of amendment adopted	508
Lines of amendment withdrawn	508
Amendment adopted	509
Amendment withdrawn	510
Amendments adopted	511
Amendment withdrawn	511
Amendment filed	512
Amendment adopted	512
Committee amendments adopted	512
Committee amendment withdrawn	512
Amendment lost	513
Amendment adopted	513
Passed House. Ayes 80, nays 9 ..	513
Motion filed to reconsider vote ..	514
Motion to reconsider vote laid on table	514
Motion to reconsider vote laid on table prevailed	514
544 By Logemann. A bill for an act relating to the sol- diers relief commission.	
Committee report	326
Recommended passage	326
Committee report adopted	353
Passed House. Ayes 76, nays 3 ..	424
Reported correctly enrolled	1115
Signed by Speaker	1115
Sent to Governor	1115
Signed by Governor	1296
556 By Shaw. A bill for an act relating to actions arising out of the rendition of ser- vices under the uniform ana- tomical gift act.	
Committee report	185
Recommended passage	185
Committee report adopted	194
Passed House. Ayes 87, nays none	235
Message from Senate	1270
House concurred	1314
Repassed House. Ayes 87, nays 1	1314
Reported correctly enrolled	1448
Signed by Speaker	1449
Sent to Governor	1449
Signed by Governor	1456
569 By Clark, Blouin, Hansen, Pierson, Mendenhall, Law- son, Schwieger, Ellsworth, Rex and Franklin. A bill for an act relating to peer re- view.	
Committee report	199
Recommended amendment, pas- sage	199
Committee amendment	199
Committee report adopted	211
Committee amendment adopted ..	236
Passed House. Ayes 87, nays 1 ..	237
574 By Cities and Towns. A bill for an act relating to home rule for cities; estab- lishing the city code of Iowa which provides for powers	

H. F.	Page
and duties of cities including the power to impose penal- ties by ordinance, city devel- opment, organization of city government, city elections, city legislation, city finance including the power to issue bonds, city utilities, and ad- ministrative agencies of cities; coordinating the Code of Iowa with the city code of Iowa; repealing incompa- tible chapters in title fifteen (15) and reenacting provi- sions from title fifteen (15) which belong in other parts of the Code of Iowa; remov- ing inconsistent references, incorrect provisions, limited grants of power, and restric- tions based upon population; and providing for a state housing code and penalties for violation thereof, to be enforced in cooperation with city officials.	
Message from Senate	108
Amendment filed	153
Amendment lost	182
House concurred	183
Repassed House. Ayes 91, nays 4	183
Explanation of vote	251
Reported correctly enrolled	1093
Signed by Speaker	1093
Sent to Governor	1093
Signed by Governor	1318
597 By Welden. A bill for an act relating to the manage- ment of state records.	
Committee report	87
Recommended amendment, pas- sage	87
Committee amendment	87
Committee report adopted	90
Amendment filed	119
Committee amendment adopted ..	131
Amendment adopted	131
Passed House. Ayes 85, nays none	131
599 By Freeman. A bill for an act relating to false draw- ing and uttering of financial instruments.	
Committee report	88
Recommended passage	88
Committee report adopted	90
Amendment filed	99
Amendment adopted	105
Motion to table	106
Tabled	106
629 By Transportation. A bill for an act relating to tempo- rary restrictions on weight and load of motor vehicles, and to provide penalties for violation of temporary res- trictions.	
Committee report	59
Recommended passage	59
Committee report adopted	61
Amendment filed	68
Amendment adopted	68
Passed House. Ayes 75, nays 10 ..	70
633 By Willits. A bill for an act relating to public hear-	

H. F.	Page
ings for rate increases of public utilities.	
Extension of time	261
643 By Ellsworth, Skinner and Curtis (Walsh). A bill for an act relating to the regulation of the practice of public accounting; to enlarge the state board of accountancy; to prescribe its powers and duties; and to provide penalties for violations of the provisions of this act.	
Committee report	467
Recommended amendment, passage	467
Committee amendment	467
Committee report adopted	494
Amendment filed	598
653 By Grassley, Holden, Skinner, Waugh, Radl and Dunton. A bill for an act relating to local law enforcement personnel.	
Re-referred to judiciary	25
671 By Environmental Preservation. A bill for an act relating to the disposal or transfer of abandoned, repairable, or stolen motor vehicles, and providing a penalty.	
Message from Senate	791
House concurred	932
Repassed House. Ayes 83, nays 1	932
Reported correctly enrolled	1405
Signed by Speaker	1405
Sent to Governor	1405
Signed by Governor	1456
674 By Trowbridge, Kelly, Schwieger, Hill, Anania, Tieden, Knoke, Larson, Small, Priebe, Knoblauch, Mayberry, Kehe, Ellsworth, Taylor, Schwartz, Doyle, Norpel, Gluba, Kennedy, Bennett, Skinner, Mollett and Dougherty (Walsh, Riley, Kennedy and Griffin). A bill for an act relating to the sale and distribution of wine containing not more than seventeen percent alcohol by weight, declaring certain acts to be unlawful and prescribing penalties therefor.	
Withdrawn	1058
677 By Judiciary. A bill for an act relating to corrective amendments to the statute on self-liquidating improvements.	
Reported correctly enrolled	325
Signed by Speaker	325
Sent to Governor	326
Signed by Governor	446
680 By Conservation and Recreation. A bill for an act to clarify the status of law enforcement officers appointed by the state conservation commission.	
Committee report	273
Recommended passage	273
Committee report adopted	275

H. F.	Page
Passed House. Ayes 90, nays 1 ..	302
Reported correctly enrolled	1093
Signed by Speaker	1093
Sent to Governor	1093
Signed by Governor	1248
681 By Logemann. A bill for an act relating to the registration of vending machines, imposing permit fees, and providing penalties for violations.	
Re-referred to state government	7
682 By Tieden and Menefee (Walsh). A bill for an act relating to area school boards.	
Re-referred to schools	7
684 By Ways and Means. A bill for an act relating to enforcement of the motor fuel tax laws.	
Reported correctly enrolled	821
Signed by Speaker	821
Sent to Governor	821
Signed by Governor	926
685 By Gluba, Blouin, Kelly, Kennedy, Knoblauch, Larson and Bray. A bill for an act relating to the hours during which alcoholic liquor and beer may be sold by liquor licensees and beer permittees.	
Re-referred to law enforcement .	7
689 By Taylor, Bennett, Logemann, Mendenhall, Scott, Priebe and Nielsen. A bill for an act to establish a county law enforcement unit and to transfer the duties of the constables, marshals, city policemen, and sheriffs' deputies to the county law enforcement unit.	
Re-referred to law enforcement .	7
Committee report	465
Recommended passage	465
Amendment filed	473
Committee report adopted	494
Amendment filed	517
Amendments filed	598
Amendment filed	858
690 By Ewell (Doderer). A bill for an act relating to campaign expenses, and providing penalties.	
Re-referred to state government	7
695 By Appropriations. A bill for an act to appropriate from the motor vehicle fuel tax fund for the biennium beginning July 1, 1971 and ending June 30, 1973, to the state comptroller.	
Amendment filed	30
Amendments adopted	30
House concurred as House amend	30
Repassed House. Ayes 85, nays 1	31
Reported correctly enrolled	325
Signed by Speaker	325
Sent to Governor	326
Signed by Governor	446

H. F.	Page
698 By Hansen. A bill for an act relating to information concerning school district budgets and expenditures.	
Re-referred to schools.	7
711 By Conservation and Recreation. A bill for an act relating to liability arising out of the use of snowmobiles, to registration and safety regulations for snowmobiles and providing a penalty for the violation thereof.	
Committee report	118
Recommended amendment, passage	118
Committee amendment	118
Committee report adopted	121
Amendment filed	140
Amendment filed	153
Amendment filed	154
Re-referred to conservation and recreation	158
Committee report	200
Recommended amendment, passage	200
Committee amendment	200
Committee report adopted	211
Amendments filed	245
Amendment filed	246
Amendment filed	306
Amendments adopted	505
Amendments lost	505
Committee amendment adopted	506
Amendments withdrawn	506
Committee amendment withdrawn	506
Point of order raised	506
Passed House. Ayes 83, nays 9	506
Message from Senate	1271
Amendment filed	1316
Amendment adopted	1316
House concurred as House amended	1316
Repassed House. Ayes 86, nays 7	1316
Reported correctly enrolled	1448
Signed by Speaker	1449
Sent to Governor	1449
Signed by Governor	1456
712 By Tieden, Welden and Winkelman. A bill for an act to establish an Iowa natural and scenic rivers system.	
Re-referred to conservation and recreation	7
714 By Kelly. A bill for an act to prohibit littering on any private or public land or water and to provide penalties for violations.	
Re-referred to environmental preservation	7
725 By Logemann, Taylor, Priebe, Wirtz, Mendenhall, Schwieger, Grassley, Middle- swart, Dougherty, Winkel- man, Roorda, Nielsen, Stroth- man, Edelen, Trowbridge, Schroeder, Stromer, Scott, Mil- ler, Strand, Patton, Wyck- off, Waugh, Moffitt, McElroy, Radl, Rex, Stokes, Siglin, Menefee, Dunton, Fischer of Grundy and Nystrom (Cur-	

H. F.	Page
ran, Keith and Stephens). A bill for an act requiring the election of members of county zoning commissions and voter approval of county zoning plans.	
Re-referred to county govern- ment	7
Amendment filed	262
Committee report	548
Recommend amendment, pas- sage	548
Committee amendment	548
Committee report adopted	560
Committee amendment filed	822
Amendment filed	902
Amendment filed	903
Motion to withdraw from sift- ing	980
726 By Conservation and Rec- reation. A bill for an act im- posing damage liability for the unlawful destruction, tak- ing, or possession of wildlife owned by the state of Iowa.	
Committee report	119
Recommended passage	119
Committee report adopted	121
Amendments filed	156
Amendment filed	218
Amendments adopted	224
Amendment adopted	225
Amendment filed	227
Amendment adopted	234
Passed House. Ayes 89, nays 2	234
734 By Transportation. A bill for an act relating to the state's compliance with the federal highway beautifica- tion act regarding junkyard and billboard standards, and providing penalties.	
Message from Senate	355
Amendments filed	517
Amendments filed	626
Amendment filed	692
Amendment filed	765
Amendment filed	766
Amendment filed	787
Amendments filed	826
Amendment filed	860
Amendments filed	861
Amendment filed	862
Amendment filed	863
Amendment adopted	881
Amendments adopted	882
Amendment withdrawn	882
Amendments adopted	883
Amendment withdrawn	883
Amendments adopted	884
Amendment filed	884
Amendments withdrawn	884
Amendment lost	884
Amendment adopted	885
Amendments withdrawn	885
Lines of amendment withdrawn	887
Lines of amendment lost	887
Amendment withdrawn	887
Amendments adopted	888
Amendments withdrawn	890
Amendments adopted	890
Amendments withdrawn	891
Amendment adopted	891
House concurred as House amended	891
Repassed House. Ayes 70, nays 23	892
Explanation of votes	900

H. F.	Page	H. F.	Page
Message from Senate	978	Sent to Governor	1449
House insisted	978	Signed by Governor	1456
Conference committee appointed	979	Became law by publication	1465
Explanation of vote	981		
Conference committee report	1128	1002 By Radl. A bill for an act relating to the establishment and construction of primary highways.	
Message from Senate	1414	Introduced, referred to transportation	23
Conference committee report adopted	1415		
Repassed House. Ayes 75, nays 14	1416	1003 By Andersen. A bill for an act relating to the issuance of deer-hunting licenses.	
Reported correctly enrolled	1448	Introduced, referred to conservation and recreation	23
Signed by Speaker	1449		
Sent to Governor	1449	1004 A bill for an act relating to required statements regarding automobile odometer mileage.	
Signed by Governor	1456	Introduced, referred to law enforcement	24
743 By Kruse, Rex, Bergman, Mendenhall, Radl, Rodgers, Menefee, Nielsen, and Ellsworth. A bill for an act to create an alcoholism rehabilitation fund by imposing a tax on consumers of alcoholic beverages and to provide for the use of the funds for the rehabilitation of alcoholics.		1005 By Fisher of Greene. A bill for an act relating to actions arising out of injuries or damages caused by the operation of a motor boat.	
Re-referred to social services ..	7	Introduced, referred to judiciary ..	24
Committee report	387		
Recommended amendment, passage	387	1006 By Doyle. A bill for an act relating to the breaking and entering of vending machines, and providing a penalty.	
Committee amendment	387	Introduced, referred to law enforcement	24
Committee report adopted	393	Committee report	94
Amendment filed	427	Recommended passage	94
Amendment filed	447	Committee report adopted	103
Amendments filed	473	Passed House. Ayes 72, nays 16 ..	132
Amendment filed	551		
Amendment lost	591	1007 By Kreamer (Milligan). A bill for an act relating to grounds for refusal to register motor vehicles.	
Motion filed to reconsider vote ..	591	Introduced, referred to cities and towns	37
Motion to reconsider vote prevailed	591	Committee report	163
Amendment lost	592	Recommended amendment, passage	163
Amendment adopted	592	Committee amendment	163
Amendment withdrawn	592	Committee report adopted	166
Amendments adopted	593	Committee amendment adopted ..	213
Amendments adopted	594	Failed to pass House. Ayes 50, nays 35	213
Amendment lost	594	Motion filed to reconsider vote ..	218
Amendment adopted	595	Motion filed to reconsider vote ..	218
Committee amendment adopted ..	595	Amendment filed	227
Referred to appropriations	595	Explanation of vote	251
		Amendments filed	262
		Amendment filed	306
		Amendment filed	473
1001 By Human and Industrial Relations. A bill for an act relating to the safety inspection and regulation of amusement rides, devices, and related electrical equipment, providing for the imposition and collection of inspection fees, and providing penalties for violations.		1008 By Dunton. A bill for an act relating to the successful completion of physical education courses in elementary and secondary schools of the state.	
Introduced, placed on calendar ..	22	Introduced, referred to schools ..	37
Amendments filed	34		
Amendment withdrawn	40	1009 By Shaw. A bill for an act relating to the reporting of the results of school elections.	
Amendment filed	40	Introduced, referred to schools ..	37
Amendment adopted	40	Re-referred to state government ..	91
Amendment filed	41	Amendment filed	99
Amendments adopted	41		
Amendments filed	42		
Amendment lost	42		
Amendment adopted	42		
Amendment lost	43		
Passed House. Ayes 87, nays 10	44		
Explanation of vote	44		
Explanation of vote	45		
Message from Senate	1112		
House concurred	1284		
Repassed House. Ayes 91, nays none	1284		
Reported correctly enrolled	1448		
Signed by Speaker	1449		

HOUSE RECORD OF HOUSE BILLS

1485

H. F.	Page
1010 By Radl and Sorg. A bill for an act to establish the salary rates for the superintendent of the department of public instruction and all superintendents employed by school boards.	
Introduced, referred to schools ..	37
Amendment filed	209
1011 By State Government. A bill for an act relating to the attainment of the age of majority.	
Introduced, placed on calendar ..	37
Amendment filed	45
Amendments filed	46
Amendments filed	47
Amendment filed	53
Amendment adopted	53
Amendment lost	54
Amendments lost	55
Points of order raised	55
Ruled out of order	56
Amendment filed	55
Amendments filed	56
Amendments adopted	56
Amendment lost	56
Amendment adopted	57
Point of order raised	57
Ruled out of order	57
Amendment filed	57
Point of order raised	58
Ruled out of order	58
Passed House. Ayes 92, nays 4 ..	58
Message from Senate	279
House refused to concur in part ..	323
House concurred in part	323
House refused to concur in part ..	324
Amendment filed	324
Amendment adopted	324
House concurred in part	324
Motion filed to reconsider vote ..	324
Motion to reconsider vote failed ..	325
Message from Senate	612
Message from Senate	778
House insisted	778
Conference committee appointed ..	778
Conference committee report	993
Message from Senate	1028
Point of order raised	1029
Conference committee report adopted ..	1030
Repassed House. Ayes 71, nays 25 ..	1030
Motion filed to reconsider vote ..	1031
Motion to reconsider vote laid on table ..	1031
Motion to reconsider vote laid on table failed ..	1031
Motion failed to reconsider vote ..	1031
Call of the House requested	1084
Call of the House	1084
Motion to reconsider vote failed ..	1085
Reported correctly enrolled	1405
Signed by Speaker	1405
Sent to Governor	1405
Signed by Governor	1456
1012 By County Government. A bill for an act requiring posting of bond in conjunction with petition to establish a rural water district.	
Introduced, placed on calendar ..	51
Amendment filed	72
Amendment adopted	72
Passed House. Ayes 86, nays 1 ..	72
Message from Senate	355

H. F.	Page
House concurred	415
Repassed House, Ayes 83, nays none	415
Reported correctly enrolled	821
Signed by Speaker	821
Sent to Governor	821
Signed by Governor	936
1013 By County Government. A bill for an act relating to support payments as the result of a dissolution of marriage.	
Introduced, placed on calendar ..	51
Amendment filed	88
Re-referred to county government	91
1014 By County Government. A bill for an act relating to disposition of obsolete instruments in the county recorder's office.	
Introduced, placed on calendar ..	51
Committee amendment filed	73
Amendment filed	88
Committee amendment withdrawn	93
Amendment adopted	93
Passed House. Ayes 91, nays none	93
Reported correctly enrolled	325
Signed by Speaker	325
Sent to Governor	326
Signed by Governor	446
1015 By County Government. A bill for an act relating to disposition of obsolete copies of hunting, fishing and trapping licenses.	
Introduced, placed on calendar ..	51
Passed House. Ayes 92, nays none	71
Reported correctly enrolled	325
Signed by Speaker	325
Sent to Governor	326
Signed by Governor	446
1016 By Camp and Lipsky. A bill for an act relating to the use of fees and funds received by the Iowa soldiers home.	
Introduced, referred to appropriations	51
Committee report	68
Recommended passage	68
Committee report adopted	69
Passed House. Ayes 90, nays 2 ..	92
Reported correctly enrolled	325
Signed by Speaker	325
Sent to Governor	326
Signed by Governor	446
Became law by publication	857
1017 By Rodgers. A bill for an act relating to the creation of a special liquor control license for the sale of wine only for commercial establishments whose principal business is the sale of food.	
Introduced, referred to law enforcement	62
Committee report	579
Recommended passage	579
Committee report adopted	583
Amendment filed	827

H. F.	Page	H. F.	Page
1018 By Kelly. A bill for an act relating to the issuance of special motor vehicle registration plates to persons whose drivers license has been mandatorily revoked.		A bill for an act relating to cigarette retailers.	
Introduced, referred to law enforcement	62	Introduced, referred to commerce	67
1019 By Kelly and Hansen. A bill for an act relating to the hunting of migratory game birds, the issuance of stamps, the collection of fees, the allocation of funds for projects, and the imposition of penalties for violations.		1028 By Sorg and Tieden. A bill for an act permitting the sale of mobile homes on Sundays.	
Introduced, referred to conservation and recreation	62	Introduced, referred to commerce	67
1020 By Monroe. A bill for an act relating to the rate of interest assessed as a penalty on mobile home taxes.		1029 By Doyle. A bill for an act relating to the mandatory revocation of the drivers license of persons convicted of possession of a controlled substance in a motor vehicle.	
Introduced, referred to ways and means	62	Introduced, referred to law enforcement	67
1021 By Bennett. A bill for an act relating to the width of vehicles on roads and highways.		1030 By Blouin. A bill for an act relating to antitrust fees for prosecutors.	
Introduced, referred to transportation	62	Introduced, referred to judiciary	67
1022 By Blouin. A bill for an act relating to the sale, use and labeling of detergent products.		1031 By Winkelman, Tieden, Strothman, Kruse, Pierson, Mendenhall, Radl, Priebe and Nielsen (Graham, Van Gilst, Stephens, Balloun, Smith and Nicholson). A bill for an act to free property owners and others from civil liability in case of injury to trespassers.	
Introduced, referred to environmental preservation	62	Introduced, referred to judiciary	67
1023 By Bennett. A bill for an act relating to voting by absentee ballots by members of credit unions.		1032 By Pellett, Grassley, Waugh, Tieden, Stromer, Rodgers and Radl. A bill for an act relating to resignations of school board members.	
Introduced, referred to commerce	66	Introduced, referred to schools .	67
1024 By Middleswart. A bill for an act relating to department of revenue enforcement officers.		Committee report	206
Introduced, referred to state government	66	Recommended amendment, passage	206
Committee report	328	Committee amendment	207
Recommended passage	328	Committee report adopted	211
Committee report adopted	353	Committee amendment adopted .	239
Referred to appropriations	432	Passed House. Ayes 90, nays none	239
Amendment filed	596	Message from Senate	1091
1025 By Knoblauch. A bill for an act relating to the appointment of certain township officers.		House concurred	1101
Introduced, referred to county government	66	Repassed House. Ayes 88, nays none	1102
1026 By Fischer of Grundy. A bill for an act providing for publication of notice within a county by the highway commission prior to commencement of the construction or improvements on a highway in that county.		Reported correctly enrolled	1318
Introduced, referred to transportation	67	Signed by Speaker	1318
1027 By Uban, Ewell, Trowbridge, Middleswart, Monroe, Rodgers, Edelen and Strand.		Sent to Governor	1318
		Signed by Governor	1450
		1033 By Commerce. A bill for an act relating to the regulation of liquid transport carriers.	
		Introduced, placed on calendar .	69
		Passed House. Ayes 83, nays 2 ..	105
		1034 By Christensen. A bill for an act relating to the purchase of corn and soybeans and providing penalties.	
		Introduced, referred to agriculture	69
		1035 By Stanley, Wells, Lipsky, Radl and Sorg (Robinson, Riley and Potter). A bill for an act relating to money advances by county boards of supervisors to county conservation boards from money	

HOUSE RECORD OF HOUSE BILLS

1487

H. F.	Page
in the county general funds. Introduced, referred to county government	69
Withdrawn	575
1036 By County Government. A bill for an act requiring the posting of a bond in conjunc- tion with a petition to es- tablish a private sanitary district, and the funding of preliminary expenses of such district.	
Introduced, placed on calendar .	90
Amendment filed	119
Amendment adopted	133
Passed House. Ayes 72, nays none	144
Explanation of vote	251
Message from Senate	355
House concurred	416
Repassed House. Ayes 79, nays 1	416
Reported correctly enrolled	821
Signed by Speaker	821
Sent to Governor	821
Signed by Governor	936
1037 By Judiciary. A bill for an act relating to antitrust fees for prosecutors.	
Introduced, placed on calendar .	90
Passed House. Ayes 87, nays none	134
Amendment filed	903
Amendment filed	983
1038 By Clark. A bill for an act relating to endurance contests and the penalty for participating therein.	
Introduced, referred to judiciary	90
Committee report	581
Recommended passage	581
Committee report adopted	583
Placed on calendar	595
Amendment filed	693
Amendment lost	786
Passed House. Ayes 81, nays 2 .	786
Reported correctly enrolled	1448
Signed by Speaker	1449
Sent to Governor	1449
Signed by Governor	1456
1039 By Clark (DeKoster and Potgeter). A bill for an act relating to the issuance of new birth certificates for per- sons born outside the United States and adopted in Iowa.	
Introduced, referred to judiciary	90
Committee report	470
Recommended passage	470
Committee report adopted	494
Placed on calendar	515
Passed House. Ayes 79, nays none	572
1040 By Kinley. A bill for an act relating to the packaging of meat and poultry and pro- viding a penalty.	
Introduced, referred to commerce	90
1041 By Kelly. A bill for an act relating to free copies of the Code.	
Introduced, referred to state gov- ernment	90

H. F.	Page
1042 By Kelly, McCormick, Schwieger, Christensen and Doyle (Kennedy, Lamborn, Potter and Glenn). A bill for an act relating to time served on parole.	
Introduced, referred to judiciary	91
Committee report	470
Recommended passage	470
Committee report adopted	494
Placed on calendar	515
Passed House. Ayes 77, nays none	572
Reported correctly enrolled	1115
Signed by Speaker	1115
Sent to Governor	1115
Signed by Governor	1296
1043 By Alt. A bill for an act to expand the membership of the capitol planning com- mission and to require the approval by the commission of alterations and repairs to any building on the capitol grounds.	
Introduced, referred to state gov- ernment	91
Amendment filed	1022
Amendment filed	1041
1044 By County Government. A bill for an act authorizing counties to acquire private property by condemnation for sanitary landfill purposes.	
Introduced, placed on calendar .	91
Failed to pass House. Ayes 44, nays 39	134
Motion filed to reconsider vote .	135
Amendment filed	218
Amendment filed	227
Amendment filed	246
Amendment filed	447
Motion to reconsider vote pre- valled	514
Amendment adopted	514
Amendment filed	518
Amendment adopted	528
Amendments withdrawn	528
Passed House. Ayes 64, nays 20 .	528
1045 By Lipsky. (Riley). A bill for an act changing the local budget certification date of school districts.	
Introduced, referred to schools .	103
Committee report	207
Recommended amendment, pas- sage	207
Committee amendment	207
Committee report adopted	211
Committee amendment adopted .	240
Passed House. Ayes 95, nays none	240
Reported correctly enrolled	1318
Signed by Speaker	1318
Sent to Governor	1318
Signed by Governor	1449
1046 By Andersen (Griffin). A bill for an act relating to the Iowa public employees' retirement system.	
Introduced, referred to state gov- ernment	103
1047 By Alt. A bill for an act relating to the lending and	

H. F.	Page	H. F.	Page
investing powers of savings and loan associations.		1053 By Commerce. A bill for an act relating to the rate of interest on public utility refunds to customers.	
Introduced, referred to commerce	103	Introduced, placed on calendar ..	122
Committee report	328	Amendments filed	155
Recommended passage	328	S.F. 1013 substituted	225
Committee report adopted	353	Withdrawn	226
Passed House. Ayes 86, nays 2 ..	435		
Message from Senate	1099	1054 By Kennedy. A bill for an act relating to a proposed highway between interstate highway number eighty and the city of Cedar Rapids.	
Amendment filed	1249	Introduced, referred to transportation	122
Amendment lost	1265		
House concurred	1265	1055 By Scott, Monroe, Pellett and Wells. A bill for an act relating to the liability of the state and its political subdivisions regarding the use of snowmobiles.	
Repassed House. Ayes 81, nays 6 ..	1266	Introduced, referred to judiciary ..	122
Reported correctly enrolled	1448		
Signed by Speaker	1449	1056 By Trowbridge, Schwieger, Taylor, Tieden, Johnston, Doyle, Kelly, Shaw, Millen, Kehe, Camp, Friebe, Blouin, Waugh, Small, Hansen, Ellsworth, Larson, Gluba, Monroe, Schwartz, Kennedy, Curtis, McElroy, Franklin, Husak, Rodgers, Lawson, Mayberry, Wyckoff, Patton, Jesse, Lipsky, Mollett, Bennett, Stanley, Kinley, Ewell, Wells, Norpel, Edelen, Knoblauch, Knoke, Hill, Anania, Dougherty, Rex, Schmeiser, Radl, Bray, Clark, Logemann, Wirtz, Willits, Cochran and Skinner (Walsh, Griffin, Thordsen, Shawver, Nicholson, Riley, Kennedy, Davis and Doderer). A bill for an act relating to the private sale, control, and distribution of wine containing not more than seventeen percent alcohol by weight, declaring certain acts to be unlawful and prescribing penalties therefor.	
Sent to Governor	1449	Introduced, referred to law enforcement	122
Signed by Governor	1456	Amendment filed	164
		Committee report	260
1048 By Welden (Potgeter). A bill for an act permitting the commissioner of social services to grant water and sewage easement to the municipal corporation of Eldora.		Recommended passage	260
Introduced, referred to social services	103	Referred to ways and means	260
Committee report	262	Committee report adopted	265
Recommended passage	262	Withdrawn	1058
Committee report adopted	265		
S.F. 1046 substituted	278	1057 By Law Enforcement. A bill for an act relating to the use of snowmobiles on railroad rights-of-way.	
Withdrawn	279	Introduced, placed on calendar ..	142
		Amendment filed	246
1049 By Gluba. A bill for an act relating to the merit system classification and pay plans.		Amendment adopted	268
Introduced, referred to state government	103	Passed House. Ayes 74, nays 3 ..	268
1050 By Blouin, Small, Gluba and Franklin. A bill for an act relating to the elimination of state owned liquor stores; to provide for the wholesale and retail sale of liquor by private licensees; to provide for the taxes thereon and for the sale and distribution of excise tax stamps by the department of revenue; relating to penalties of liquor and beer laws, and to otherwise provide for administrative procedures and practices to carry out the intent of this act.		1058 By Stokes, Dougherty, Strand, Dunton, Trowbridge, Menefee, Doyle, Mendenhall, Husak, Grassley, McCormick, Norpel, Curtis, McElroy, and Andersen (Van Gilst, Riley, Rhodes, Gaudineer, Palmer Briles, Neu, Walsh, Kennedy,	
Introduced, referred to law enforcement	103		
Amendment filed	349		
1051 By Kelly. A bill for an act relating to forfeiture of real estate contracts.			
Introduced, referred to judiciary	122		
1052 By Commerce. A bill for an act relating to the deposit and use of fees collected by the Iowa state commerce commission.			
Introduced, placed on calendar ..	122		
Passed House. Ayes 75, nays none ..	144		
Explanation of vote	251		
Reported correctly enrolled	821		
Signed by Speaker	821		
Sent to Governor	821		
Signed by Governor	936		

H. F.	Page
Tapscott, Glenn, Gross, Schaben and Carlson). A bill for an act relating to identification cards for persons sixty years of age or older.	
Introduced, referred to judiciary .	142
1059 By Schroeder, Shaw, Knoke and Pelton. A bill for an act relating to the use of self-service filling stations.	
Introduced, referred to commerce	142
1060 By Kinley. A bill for an act related to the labeling of eggs and providing a penalty.	
Introduced, referred to agriculture	142
1061 By Nystrom. A bill for an act for the use of state buildings by state employee organizations.	
Introduced, referred to state government	143
Amendment filed	582
1062 By Priebe. A bill for an act relating to the use of weed seed in commercial feed.	
Introduced, referred to agriculture	143
1063 By Lipsky, Lawson and Dunton. A bill for an act relating to alterations and repairs to the state capitol building and to organization of the capitol planning commission.	
Introduced, referred to state government	158
1064 By Scott. A bill for an act relating to emergency light sources for certain public places.	
Introduced, referred to cities and towns	158
Amendment filed	245
1065 By Middleswart. A bill for an act relating to deer-hunting licenses.	
Introduced, referred to conservation and recreation	158
1066 By Rodgers. A bill for an act relating to a pamphlet on the use of alcoholic liquor and beer.	
Introduced, referred to law enforcement	158
Committee report	516
Recommended passage	516
Committee report adopted	524
Sifting recommends calendar	1039
Amendment filed	1065
Amendment lost	1340
Removed from calendar	1340
1067 By Pellett. A bill for an act relating to the disposition of proceeds from a casual farm auction sale.	
Introduced, referred to agriculture	158
Committee report	288
Recommended amendment, passage	288

H. F.	Page
Committee amendment	288
Committee report adopted	297
Withdrawn	564
1068 By Transportation. A bill for an act to create a state department of transportation and to make an appropriation therefor.	
Introduced, placed on calendar	158
Referred to appropriations	215
Amendment filed	219
Amendment filed	766
Amendment filed	919
1069 By Kelly. A bill for an act relating to a state of the judicial department message.	
Introduced, referred to judiciary	158
1070 By Nystrom. A bill for an act to provide for adjusting the pay of state employees under the Iowa merit employment department according to changes in the consumer price index.	
Introduced, referred to state government	166
1071 By Pellett. A bill for an act to legalize the indebtedness of the Audubon county agricultural society and to provide an annual tax to pay said indebtedness.	
Introduced, referred to judiciary	167
Proof of publication certified	166
Amendment filed	263
Committee report	305
Recommended amendment, passage	305
Committee amendment	305
Committee report adopted	311
Amendment withdrawn	394
Committee amendment adopted	395
Passed House. Ayes 83, nays 4	395
Reported correctly enrolled	1115
Signed by Speaker	1115
Sent to Governor	1115
Signed by Governor	1296
Became law by publication	1465
1072 By Pellett (Briles). A bill for an act relating to the tax levy for flood and erosion control.	
Introduced, referred to ways and means	167
1073 By Schwieger. A bill for an act relating to state reciprocity in the enforcement of support decrees; providing for the enforcement in Iowa of support decrees granted in other states and the enforcement in other states of those granted in Iowa; providing for the registration in Iowa of support orders granted in other states; and providing for the administrative procedures necessary thereto.	
Introduced, referred to judiciary	167
1074 By Nystrom. A bill for an act to legalize and validate proceedings of the board of	

H. F.	Page
directors of the united community school district in the counties of Boone and Story, State of Iowa, authorizing and providing for the sale and issuance of school building bonds and for the levy of taxes for the payment of said bonds and declaring the bonds issued pursuant to said proceedings to be enforceable obligations of said school district.	
Introduced, referred to judiciary	194
Proof of publication certified	194
Committee report	386
Recommended passage	387
Committee report adopted	393
Placed on calendar	515
Passed House. Ayes 87, nays none	527
Reported correctly enrolled	1093
Signed by Speaker	1093
Sent to Governor	1093
Signed by Governor	1248
Became law by publication	1464
 1075 By Varley. A bill for an act to legalize and validate the proceedings of the town council of the town of Stuart, in the counties of Adair and Guthrie, State of Iowa, in connection with the award of a contract for the construction of a project designated as the "1971 Stuart, Iowa sanitary sewer improvement project".	
Introduced, referred to judiciary	195
Proof of publication certified	194
Committee report	470
Recommended passage	471
Committee report adopted	494
Placed on calendar	515
Passed House. Ayes 74, nays 2	573
Reported correctly enrolled	1318
Signed by Speaker	1318
Sent to Governor	1318
Signed by Governor	1450
Became law by publication	1465
 1076 By Nystrom (Van Drie, Tapscott, Doderer, Neu, Briles and Walsh). A bill for an act to provide overtime pay for Iowa highway commission employees.	
Introduced, referred to transportation	195
Amendment filed	407
Amendment filed	828
 1077 By Holden. A bill for an act relating to advertisement of cigarettes.	
Introduced, referred to law enforcement	195
 1078 By Pierson. A bill for an act relating to the placing of permit numbers on containers of agricultural seeds.	
Introduced, referred to agriculture	195
Committee report	283
Recommended passage	283
Committee report adopted	297
Passed House. Ayes 88, nays none	421

H. F.	Page
 1079 By Lipsky. A bill for an act authorizing school districts to provide nursery school programs for certain children.	
Introduced, referred to schools	195
 1080 By Kreamer (Conklin). A bill for an act changing the date of school board elections to coincide with municipal elections and changing other dates to conform therewith.	
Introduced, referred to schools	195
Amendment filed	428
 1081 By Scott. A bill for an act relating to the publishing of the salaries of school district employees.	
Introduced, referred to schools	195
 1082 By Lipsky and Christensen. A bill for an act relating to a course for persons convicted of operating a motor vehicle while under the influence of an alcoholic beverage, providing for the revocation of drivers licenses, providing for fees and providing a penalty.	
Introduced, referred to law enforcement	195
Committee report	304
Recommended passage	304
Committee report adopted	311
Amendment filed	407
Amendments filed	429
Amendment filed	440
Amendments adopted	440
Amendments adopted	441
Amendment withdrawn	441
Passed House. Ayes 83, nays 7	442
Reported correctly enrolled	1448
Signed by Speaker	1449
Sent to Governor	1449
Signed by Governor	1456
 1083 By Scott. A bill for an act relating to the definition of casual sales.	
Introduced, referred to ways and means	195
 1084 By Agriculture. A bill for an act to provide that rural water districts shall not be subject to regulation by the Iowa state commerce commission.	
Introduced, placed on calendar	212
Amendment filed	243
Amendment adopted	243
Passed House. Ayes 64, nays 23	244
Reported correctly enrolled	321
Signed by Speaker	321
Sent to Governor	321
Signed by Governor	936
 1085 By Nystrom. A bill for an act relating to the licensing of plumbers, supervision and inspection of plumbing, adoption and enforcement of minimum, uniform standards for plumbing and providing penalties.	
Introduced, referred to state government	212

HOUSE RECORD OF HOUSE BILLS

1491

H. F.	Page
1086 By Egenes (Van Drie). A bill for an act relating to exceptions to the time limits during which certain civil actions must be brought. Introduced, referred to judiciary 212 Withdrawn1384	
1087 By Commerce. A bill for an act to prescribe a penalty for violation of laws relating to the registration of a motor carrier's interstate transportation service. Introduced, placed on calendar . 212 Amendment filed 228 Amendment adopted 254 Passed House. Ayes 83, nays none 254	
1088 By Dunton. A bill for an act relating to school records and neglected, dependent and delinquent children. Introduced, referred to judiciary . 221	
1089 By Fischer of Grundy (Griffin). A bill for an act relating to the Iowa insurance guaranty association. Introduced, referred to commerce 222 Committee report 406 Recommended amendment, passage 406 Committee amendment 406 Committee report adopted 410 Amendment filed 513 Committee amendment adopted .. 633 Amendment adopted 633 Passed House. Ayes 88, nays 2 . 633 Reported correctly enrolled1318 Signed by Speaker1318 Sent to Governor1318 Signed by Governor1450	
1090 By Winkelman. A bill for an act relating to assessment of real property. Introduced, referred to ways and means 222	
1091 By Winkelman, Curtis, Nielsen, Rodgers, Tieden, Roorda, Husak, Knoblauch, Waugh, Scott, Mayberry, Wirtz and Cochran (Graham, Potgeater, Walsh, and Potter). A bill for an act to exempt the storage of grain from the tax on services. Introduced, referred to ways and means 222	
1092 By Doyle, Kelly, Stanley, Schwieger, Nystrom, Freeman, Taylor, Logemann, Wirtz, Rodgers, McCormick, Wells, Dunton, Monroe, Waugh, Menefee, Hansen, Christensen, Ellsworth, Curtis, Mollett, Sargisson, Andersen, Schwartz and Mayberry. A bill for an act to appropriate from the primary road fund to the department of public safety for salary increases for Iowa highway safety patrol officers. Introduced, referred to appropriations 222	

H. F.	Page
1093 By Dunton, Strand, Mendenhall, Dougherty, Trowbridge, Menefee, Doyle, Middleewart, Husak, Norpel, McElroy, Strothman, Stokes, Sargisson, and Schwartz (Rhodes, Riley and Van Gilst). A bill for an act relating to qualification for employment benefits under the Iowa public employees retirement system. Introduced, referred to state government 222	
1094 By Kelly. A bill for an act providing that insurance companies insuring against loss from liability resulting from motor vehicle accidents must offer additional first party benefits to all outstanding policy holders and all new policy holders, and providing for the administrative procedures necessary thereto. Introduced, referred to commerce 222	
1095 By Waugh, Sargisson, Doyle, and Andersen (Gross). A bill for an act relating to the authority of merged areas to borrow money in anticipation of the collection of a voted tax for school facilities. Introduced, referred to ways and means 222 Withdrawn1414	
1096 By Campbell. A bill for an act relating to deer hunting. Introduced, referred to conservation and recreation 223	
1097 By Doyle, Kelly, Stanley, Schwieger, Nystrom, Freeman, Taylor, Logemann, Wirtz, Rodgers, McCormick, Wells, Dunton, Monroe, Waugh, Menefee, Hansen, Christensen, Ellsworth, Curtis, Mollett, Sargisson, Andersen, Schwartz and Mayberry. A bill for an act relating to the registration and titling of motorcycles and providing a penalty for violations. Introduced, referred to law enforcement 223	
1098 By Ellsworth. A bill for an act related to the contents of a safety deposit box or other security enclosure of a decedent. Introduced, referred to commerce 230 Committee report 406 Recommended passage 406 Committee report adopted 410 Passed House. Ayes 70, nays 6 .. 577	
1099 By Ways and Means. A bill for an act providing for an appraisal staff and appraisal	

H. F.	Page	H. F.	Page
manual in the department of revenue, and to make an appropriation therefor.		procedures necessary thereto, making certain acts unlawful and providing penalties.	
Introduced, placed on calendar	230	Introduced, referred to commerce	231
Referred to appropriations	253	1106 By Scott. A bill for an act relating to tax-exempt property of charitable and non-profit corporations.	
Committee report	304	Introduced, referred to ways and means	231
Recommended amendment, passage	304	1107 By Rex. A bill for an act relating to professional teachers' meetings, demonstration teaching, and field work.	
Committee amendment	304	Introduced, referred to schools	250
Committee report adopted	311	1108 By Tieden. A bill for an act related to the destruction of undesirable fish.	
Committee amendment adopted	456	Introduced, referred to conservation and recreation	250
Amendment filed	456	Withdrawn	800
Amendment adopted	457	1109 By Fischer of Grundy (Davis). A bill for an act relating to inducements to open or add to savings accounts and providing penalties.	
Passed House. Ayes 85, nays 4	457	Introduced, referred to commerce	250
Reported correctly enrolled	1093	Amendment filed	289
Signed by Speaker	1093	Committee report	406
Sent to Governor	1093	Recommended passage	408
Signed by Governor	1249	Committee report adopted	410
1100 By Camp and Kehe. A bill for an act relating to annual reversions of administrative appropriations.		1110 By Gluba (Glenn). A bill for an act relating to the rate regulation of public utilities.	
Introduced, referred to appropriations	230	Introduced, referred to commerce	250
1101 By Grassley. A bill for an act to legalize and validate proceedings for the establishment, organization, formation, and changes in the boundaries of merged area school systems.		1111 By Blouin. A bill for an act to make an appropriation from the general fund of the state to merged area I.	
Introduced, referred to judiciary	230	Introduced, referred to appropriations	250
Sifting recommends calendar	1021	1112 By Fischer of Grundy. A bill for an act relating to the permissible places of location and tenure of bank offices, and the number of offices which may be operated by any bank within the same municipal corporation in which the bank is located.	
Passed House. Ayes 83, nays 2	1078	Introduced, referred to commerce	265
Reported correctly enrolled	1448	1113 By transportation. A bill for an act relating to the transfer of title of a motor vehicle.	
Signed by Speaker	1449	Introduced, placed on calendar	265
Sent to Governor	1449	Amendment filed	289
Signed by Governor	1457	Re-referred to transportation	579
1102 By Gluba, Blouin, Kelly, Kennedy, Knoblauch, Larson, Bray, Schwieger, and Ellsworth. A bill for an act relating to the hours during which alcoholic liquors and beer may be sold by liquor licenses and beer permittees.		Motion filed to reconsider vote	579
Introduced, referred to law enforcement	230	Motion to reconsider vote withdrawn	933
1103 By Logemann. A bill for an act relating to notice of termination of farm tenancies.		1114 By Lipsky, Shaw, Franklin, Egenes, Blouin, McElroy and Varley (Doderer). A bill for an act relating to statutory	
Introduced, referred to agriculture	231		
1104 By Social Services. A bill for an act relating to protective eyeglass lenses.			
Introduced, placed on calendar	231		
Passed House. Ayes 76, nays 3	269		
Message from Senate	434		
House concurred	461		
Repassed House. Ayes 79, nays 2	461		
Reported correctly enrolled	821		
Signed by Speaker	821		
Sent to Governor	821		
Signed by Governor	936		
1105 By Kinley. A bill for an act to provide for compulsory basic protection for automobile accident victims and compulsory property protection for all registered motor vehicles, providing for the administrative practices and			

H. F.	Page
provisions affecting the legal treatment of female persons. Introduced, referred to social services	265
1115 By Small. A bill for an act relating to qualifications of civil service employees. Introduced, referred to state government	265
1116 By Kehe, Mendenhall, Rex, Tleden, Miller, Wyckoff and Campbell. A bill for an act relating to qualifications for elective public office. Introduced, referred to judiciary	265
1117 By Commerce. A bill for an act relating to the annual report of the commissioner of insurance. Introduced, placed on calendar ..	265
Passed House. Ayes 79, nays none	417
Reported correctly enrolled	1115
Signed by Speaker	1115
Sent to Governor	1115
Signed by Governor	1296
1118 By Kelly. A bill for an act relating to confidential communications and the press. Introduced, referred to judiciary	265
1119 By Blouin. A bill for an act relating to exemptions from inheritance tax. Introduced, referred to judiciary	265
1120 By county government. A bill for an act relating to notification of property owners of adjustment of real property assessments. Introduced, placed on calendar ..	266
Passed House. Ayes 80, nays 6 ..	419
Message from Senate	774
House concurred	807
Repassed House. Ayes 83, nays 4 ..	808
Reported correctly enrolled	1093
Signed by Speaker	1093
Sent to Governor	1093
Signed by Governor	1249
1121 By Blouin. A bill for an act relating to the construction of private and public buildings and facilities. Introduced, referred to state government	266
1122 By Winkelman, Pelton, Andersen, Waugh, Tleden, Priebe, Stanley, Rodgers, and Scott. A bill for an act relating to the establishment of an office of ombudsman, his duties, and providing penalties. Introduced, referred to appropriations	266
1123 By Rex and Pelton (Briles). A bill for an act relating to salaries of certain county officers. Introduced, referred to county government	266
1124 By Alt. A bill for an act to establish the office of the	

H. F.	Page
state architect within the department of general services. Introduced, referred to state government	266
1125 By Winkelman and Tieden. A bill for an act relating to the administration of drugs to horses and providing penalties. Introduced, referred to agriculture	266
1126 By Blouin. A bill for an act relating to dram shop insurance for class "B" beer permittees. Introduced, referred to state government	266
1127 By Logemann. A bill for an act relating to a penalty for the possession or consumption of alcoholic liquors or beer on public school property or while attending school-related functions. Introduced, referred to state government	266
Committee report	386
Recommended amendment, passage	386
Committee amendment	386
Committee report adopted	393
Amendment filed	439
Amendment adopted	439
Committee amendment adopted ..	439
Amendment filed	473
Amendment adopted	568
Passed House. Ayes 72, nays 7 ..	568
Message from Senate	1252
House concurred	1309
Repassed House. Ayes 76, nays 14	1309
Reported correctly enrolled	1448
Signed by Speaker	1449
Sent to Governor	1449
Signed by Governor	1457
1128 By Commerce. A bill for an act relating to the annual certificate of authority of insurance companies. Introduced, placed on calendar ..	266
Amendment filed	391
Amendment adopted	420
Passed House. Ayes 84, nays none	420
1129 By County Government. A bill for an act relating to a maximum mileage payment for members of the board of supervisors in counties of forty thousand population or less. Introduced, placed on calendar ..	275
Passed House. Ayes 77, nays 10 ..	422
Reported correctly enrolled	1448
Signed by Speaker	1449
Sent to Governor	1449
Signed by Governor	1457
1130 By Hansen, Grassley, Radl, Schwieger, Uban, Ewell, Duntun and Tieden (Messerly and Conklin). A bill for an act relating to the appropriation to the state board of regents. Introduced, referred to appropriations	275

H. F.	Page	H. F.	Page
1131 By Ellsworth (Walsh). A bill for an act making an appropriation to the Iowa liquor control commission for a state liquor store in Dubuque, Iowa.		Amendment filed	408
Introduced, referred to appropriations	276	Amendment lost	443
1132 By Ellsworth, Menefee, Mendenhall, McCormick, Taylor, Blouin, Kennedy, Tieden and Patton (Walsh, Shawver, Kennedy and Gilley). A bill for an act to make an appropriation to merged area I for the purpose of implementing the provisions of law requiring an area vocational attendance center.		Amendment withdrawn	443
Introduced, referred to appropriations	276	Motion filed to reconsider vote ..	443
1133 By State Government. A bill for an act making corrective amendments to the "Iowa beer and liquor control act" by defining the phrase "intoxicating liquor"; changing the term of office of council members; allowing certain special permit holders to buy alcohol direct from distiller or wholesaler; amending the qualifications for the holding of certain special liquor permits; defining the authority of local issuing bodies upon initial issuance of liquor licenses and retail beer permits; changing the license fees for hotels and motels located outside corporate limits of cities and towns; correcting the omission of the words "and tax" in provisions relating to air common carriers; providing that certain refund provisions apply to all classes of retail beer permittees; providing notification of the transfer of location of the licensed premises for the retail sale of beer and liquor to the department and establishing a transfer fee by regulation; redefining areas in which retail licenses and permits may be granted; redefining the term "grocery store"; eliminating a conflict in population factors; making uniform the time a penalty of license suspension might last for all classes of beer permit holders and the holders of certificates of compliance by brewers and importers of malt beverages; and, by providing that books of accounts and records of beer permittees shall be open to inspection by the enforcement division of beer and liquor department of public safety during normal business hours.		Motion to reconsider vote prevailed	444
Introduced, placed on calendar ..	276	Amendment filed	445
Amendment filed	349	Amendments lost	445
		Passed House. Ayes 70, nays 17 ..	445
		Message from Senate	1359
		House concurred	1375
		Repassed House. Ayes 79, nays 5 ..	1376
		Reported correctly enrolled	1448
		Signed by Speaker	1449
		Sent to Governor	1449
		Signed by Governor	1457
		Became law by publication	1466
		1134 By Winkelman. A bill for an act relating to the allocation of real estate transfer tax receipts.	
		Introduced, referred to county government	276
		1135 By Andersen. A bill for an act to raise the contribution ceiling under the Iowa public employees' retirement system and to permit active and retired members to buy back prior service credit.	
		Introduced, referred to state government	277
		1136 By Kehe. A bill for an act relating to the collection, purchase and sale of recyclable materials.	
		Introduced, referred to environmental preservation	277
		Committee report	516
		Recommended passage	516
		Committee report adopted	524
		1137 By Schroeder and Knoke. A bill for an act relating to the location of attendance centers for area vocational schools.	
		Introduced, referred to schools ..	277
		1138 By Schroeder. A bill for an act relating to student fees at universities governed by the state board of regents.	
		Introduced, referred to higher education	277
		1139 By Larson. A bill for an act relating to the copying of public records.	
		Introduced, referred to state government	277
		1140 By Shaw, Lipsky, McElroy, Sargisson, Egenes, Franklin, Miller and Mayberry. A bill for an act to establish a commission on the status of women and to define its powers and duties.	
		Introduced, referred to human and industrial relations	277
		Re-referred to state government ..	700
		Sifting recommends calendar	1021
		Passed House. Ayes 59, nays 31 ..	1079
		Reported correctly enrolled	1448
		Signed by Speaker	1449
		Sent to Governor	1449
		Signed by Governor	1457

H. F.	Page
1141 By Ellsworth, Hansen, Sorg, Kennedy, Priebe and Wirtz (Griffin). A bill for an act relating to unfair trade practices in the business of insurance and providing a penalty.	
Introduced, referred to commerce	277
Committee report	407
Recommended passage	407
Committee report adopted	410
Amendment filed	551
Amendment adopted	702
Passed House. Ayes 91, nays 3.	702
Message from Senate	1100
House concurred	1111
Repassed House. Ayes 82, nays none	1112
Reported correctly enrolled	1405
Signed by Speaker	1405
Sent to Governor	1405
Signed by Governor	1457
1142 By Shaw, Lipsky, Miller, McElroy, Sargisson, Egenes and Franklin. A bill for an act to prohibit wage discrimination on the basis of sex.	
Introduced, referred to human and industrial relations	277
1143 By Freeman. A bill for an act relating to installment loans by state banks.	
Introduced, referred to commerce	298
Committee report	406
Recommended amendment, passage	406
Committee amendment	406
Committee report adopted	410
Amendment filed	448
Amendment filed	828
Amendment lost	846
Amendment adopted	846
Committee amendment adopted	847
Passed House. Ayes 74, nays 9	847
Reported correctly enrolled	1448
Signed by Speaker	1449
Sent to Governor	1449
Signed by Governor	1457
1144 By Hansen. A bill for an act relating to rehiring of former state employees and transfers of state employees.	
Introduced, referred to state government	298
1145 By Mendenhall. A bill for an act to increase the covered wage limit under the Iowa public employees' retirement system.	
Introduced, referred to state government	298
1146 By Mendenhall, Tieden, Menefee, McElroy, Kehe, Kennedy, Hansen and Edelen (Riley, Gilley, Shawver and Kennedy). A bill for an act relating to the conversion of the commercial television network under the control of the state board of regents.	
Introduced, referred to higher education	298
1147 By State Government. A bill for an act relating to the	

H. F.	Page
election laws and providing penalties for violations thereof.	
Introduced, placed on calendar	298
Amendments filed	350
Amendments filed	391
Amendments adopted	396
Amendment adopted	397
Amendment withdrawn	397
Amendments filed	398
Amendments adopted	398
Amendment lost	398
Point of order raised	398
Amendment lost	399
Amendment filed	399
Amendments filed	400
Amendment adopted	400
Amendment lost	400
Amendment adopted	401
Passed House. Ayes 93, nays 2	401
Message from Senate	941
Amendment filed	953
Amendment lost	1032
House concurred in part	1032
Amendment filed	1032
Amendment adopted	1033
House concurred in part	1033
Motion filed to reconsider vote	1033
Motion to reconsider vote failed	1034
Amendment filed	1042
Message from Senate	1061
Motion filed to reconsider vote	1051
Motion to reconsider vote prevailed	1052
Amendment adopted	1052
House concurred	1052
Repassed House. Ayes 81, nays 2	1052
Reported correctly enrolled	1405
Signed by Speaker	1405
Sent to Governor	1405
Signed by Governor	1457
Became law by publication	1465
1148 By Kehe and Fischer of Grundy. A bill for an act relating to the apportionment of property valuation of certain electric power generating plants.	
Introduced, referred to ways and means	311
1149 By Blouin. A bill for an act relating to the setting of minimum prices for retail sales of beer.	
Introduced, referred to commerce	311
1150 By Wyckoff. A bill for an act relating to open hunting seasons.	
Introduced, referred to conservation and recreation	311
1151 By Ellsworth. A bill for an act relating to regulation of premium rates for credit life and credit accident and health insurance.	
Introduced, referred to commerce	311
1152 By Ewell (Shawver). A bill for an act relating to the merger of county and joint county school systems and to limit their taxing powers.	
Introduced, referred to schools	311

H. F.	Page	H. F.	Page
1153		House concurred as House amend-	
		ed	1110
		House refused to concur in part.	1110
		Motion filed to reconsider vote.	1123
		Amendment filed	1219
		Motion to reconsider vote pre-	
		valued	1267
		Amendment filed	1273
		Motion to substitute	1294
		Motion to substitute prevailed.	1295
		Amendment adopted	1295
		Repassed House. Ayes 57, nays	
		34	1335
		Message from Senate	1359
		House insisted	1367
		Conference committee appointed.	1367
		Conference committee report ...	1402
		Message from Senate	1414
		Conference committee report	
		adopted	1438
		Failed to pass House. Ayes 47,	
		nays 40	1438
		Motion filed to reconsider vote.	1442
		Motion to reconsider vote laid on	
		table	1442
		Motion to reconsider vote laid on	
		table failed	1443
		Motion to reconsider vote pre-	
		valued	1444
		Failed to repass House. Ayes 50,	
		nays 36	1444
		1157 By Fischer of Grundy. A	
		bill for an act relating to the	
		publication of notices.	
		Introduced, referred to state gov-	
		ernment	312
		1158 By Husak. A bill for an	
		act relating to damage claims	
		for injury caused by wards	
		of the state.	
		Introduced, referred to judiciary.	312
		1159 By Ellsworth. A bill for an	
		act relating to the sale of	
		real property owned by a	
		school district.	
		Introduced, referred to ways and	
		means	353
		Withdrawn	972
		1160 By Lawson. A bill for an	
		act relating to the exemp-	
		tions from the sales tax.	
		Introduced, referred to ways and	
		means	353
		1161 By Rodgers, Roorda, Siglin,	
		Christensen, Doyle, Dougher-	
		ty, Middleswart, Moffitt, Kelly,	
		Varley and Pierson (Rhodes,	
		Briles, Anderson, Laverty,	
		and Gaudineer). A bill for an	
		act relating to judicial re-	
		districting and judicial nomi-	
		inating commissions.	
		Introduced, referred to judiciary.	353
		1162 By Hansen, Ellsworth and	
		Schmeiser. A bill for an act	
		relating to the renewal of	
		automobile insurance.	
		Introduced, referred to com-	
		merce	354
		Sifting recommends calendar ...	1319
		Amendment filed	1450
		1163 By Egenes. A bill for an	
		act to establish the use of	
1153		By Doyle, Anania, Rodgers,	
		Pierson, Campbell, McCor-	
		mick, Trowbridge, Sargisson,	
		Curtis, Knoblauch, Wirtz,	
		Clark, Stromer and Blouin. A	
		bill for an act relating to the	
		peace officers retirement sys-	
		tem.	
		Introduced, referred to state gov-	
		ernment	312
		Committee report	581
		Recommended amendment, pas-	
		sage	581
		Committee amendment	581
		Committee report adopted	583
1154		By Nystrom. A bill for an	
		act relating to vacation time	
		for state employees.	
		Introduced, referred to state gov-	
		ernment	312
1155		By Blouin, McCormick,	
		Cochran and Bray. A bill for	
		an act to provide property	
		tax relief for persons sixty-	
		five years of age or older or	
		totally disabled.	
		Introduced, referred to ways and	
		means	312
1156		By Iowa Development. A	
		bill for an act creating an	
		Iowa world exposition au-	
		thority, and specifying its	
		purposes, powers and respon-	
		sibilities.	
		Introduced, placed on calendar ..	312
		Amendment filed	350
		Amendment filed	430
		Amendments filed	448
		Amendment filed	627
		Amendment filed	693
		Amendment filed	766
		Amendment filed	829
		Sifting recommends calendar ...	854
		Amendments adopted	894
		Amendments adopted	895
		Amendments withdrawn	895
		Amendment adopted	896
		Amendment lost	896
		Motion to table	896
		Point of order raised	896
		Motion to table lost	896
		Lines of amendment withdrawn..	896
		Amendment adopted	897
		Amendment lost	897
		Amendment filed	897
		Amendment adopted	898
		Amendment lost	898
		Amendments withdrawn	898
		Amendment adopted	899
		Passed House. Ayes 58, nays 32..	899
		Motion filed to reconsider vote ..	900
		Motion to reconsider vote laid on	
		table failed	900
		Explanation of vote	900
		Motion to reconsider vote failed.	908
		Message from Senate	1028
		Amendment filed	1095
		Amendment adopted	1105
		Amendment adopted	1106
		Amendment filed	1108
		Amendment adopted	1108
		Amendment withdrawn	1108
		Amendment adopted	1109
		Amendment filed	1109
		Amendment withdrawn	1109
		House concurred as House amend-	
		ed	1109

H. F.	Page
enriched flour in certain bakery products. Introduced, referred to agriculture	354
1164 By Camp. A bill for an act relating to state reimbursement of counties for expenses attributable to collection of support payments for welfare recipients. Introduced, referred to judiciary.	354
1165 By Ellsworth. A bill for an act relating to the taxation of marine insurance underwriting profits. Introduced, referred to commerce	354
Amendment filed	983
1166 By Lawson, Ellsworth, Andersen and Drake (Curran, Potter, Erskine, Nicholson, Kennedy, Thordsen and Walsh). A bill for an act relating to the taxation of income from interstate commerce. Introduced, referred to ways and means	354
1167 By Lawson, Ellsworth, Andersen and Drake (Curran, Potter, Erskine, Nicholson, Kennedy, Thordsen and Walsh). A bill for an act relating to the service tax on storage of goods. Introduced, referred to ways and means	354
1168 By Lawson. A bill for an act relating to abandoned railroad right-of-way. Introduced, referred to commerce	354
Amendment filed	596
1169 By Law Enforcement. A bill for an act requiring a report of the disposition of all persons whose arrest has been reported to the division of criminal investigation and the bureau of identification. Introduced, placed on calendar .	354
Amendment filed	448
Amendment lost	455
Passed House. Ayes 85, nays none	456
1170 By Kelly. A bill for an act relating to business corporations. Introduced, referred to commerce	355
Withdrawn	1389
1171 By Lawson (Curran). A bill for an act relating to governmental immunity in the operation of snowmobiles. Introduced, referred to judiciary	355
Committee report	581
Recommended passage	581
Committee report adopted	583
Placed on calendar	595

H. F.	Page
1172 By Ellsworth. A bill for an act relating to the time for payment of inheritance taxes. Introduced, referred to ways and means	393
1173 By Welden. A bill for an act to create a state transportation planning commission. Introduced, referred to transportation	393
1174 By Andersen. A bill for an act to create a system of intermediate educational service districts for the purpose of performing administrative and supervisory services and with furnishing educational programs to school districts in connection with public elementary, secondary, and special education and to perform governmental functions, adopt budgets, and certify taxes in the manner generally provided by law in the case of county school systems. Introduced, referred to schools .	394
1175 By Ways and Means. A bill for an act to change the fiscal year of cities and towns, counties, and other political subdivisions. Introduced, placed on calendar .	394
S. F. 1125 substituted	605
Withdrawn	606
1176 By Environmental Preservation. A bill for an act relating to the department of soil conservation. Introduced, placed on calendar ..	394
Passed House. Ayes 76, nays none	576
Reported correctly enrolled	1115
Signed by Speaker	1115
Sent to Governor	1115
Signed by Governor	1296
Became law by publication	1464
1177 By Scott. A bill for an act relating to an abandoned railroad right-of-way. Introduced, referred to commerce	410
1178 By Rex. A bill for an act relating to county recorder fees. Introduced, referred to county government	411
1179 By Knoke (Griffin). A bill for an act to provide for police reserve units in cities with populations over five thousand. Introduced, referred to cities and towns	411
1180 By Knoke. A bill for an act relating to the use of funds distributed to cities and towns out of state liquor sales.	

H. F.	Page
Introduced, referred to cities and towns	411
1181 By Agriculture. A bill for an act relating to livestock, providing for rules and regulations and providing a penalty for violations.	
Introduced, placed on calendar ..	411
Amendment filed	473
Amendment adopted	578
Passed House. Ayes 79, nays 1 .	578
1182 By Stromer. A bill for an act relating to collection agencies and providing penalties.	
Introduced, referred to commerce	411
1183 By Radl. A bill for an act relating to the establishment of sanitary disposal projects, authorizing a tax for such projects, and providing for violations.	
Introduced, referred to cities and towns	411
1184 By Knoke. A bill for an act relating to old-age assistance and the transfer of real property.	
Introduced, referred to judiciary.	411
1185 By Freeman. A bill for an act relating to tuition grants for veterans.	
Introduced, referred to higher education	411
1186 By Freeman and Blouin. A bill for an act relating to a presidential preferential primary election.	
Introduced, referred to state government	411
1187 By Doyle, Kelly, Sargisson and Andersen. A bill for an act relating to special municipal judges.	
Introduced, referred to judiciary	412
1188 By Nystrom. A bill for an act relating to state participation in group insurance programs for state employees.	
Introduced, referred to state government	432
Amendment filed	597
1189 By Schwieger. A bill for an act relating to abandoned railroad right-of-way.	
Introduced, referred to commerce	432
1190 By Blouin. A bill for an act relating to the contents of a safety deposit box or other security enclosure of a decedent.	
Introduced, referred to judiciary	432
Withdrawn	578
1191 By Blouin. A bill for an act relating to penalties for malicious damage to property.	
Introduced, referred to judiciary	432

H. F.	Page
1192 By Stromer. A bill for an act relating to the issuance of special registration certificates to dealers and manufacturers, the transfer of registration, and imposition and collection of fees.	
Introduced, referred to commerce	432
1193 By Iowa Development. A bill for an act relating to the design of motor vehicle registration plates.	
Introduced, placed on calendar .	432
1194 By Freeman, Stanley and Holden. A bill for an act relating to registration requirements of insurance dealers, cease and desist orders by the commissioner of insurance, public information and providing penalties.	
Introduced, referred to commerce	433
Amendment filed	474
1195 By Winkelman. A bill for an act to establish a land preserve loan authority and to prescribe its purposes, duties and powers.	
Introduced, referred to Iowa development	433
1196 By Dunton, Alt, Sargisson, Hansen, Kruse, Taylor, Monroe, Andersen, Bennett, Clark, Edelen, Ellsworth, Gluba, Hill, Jesse, Kelly, Kreamer, Larson, Logemann, McCormick, McElroy, Millen, Miller, Moffitt, Nystrom, Radl, Small, Sorg, Stanley, Uban, Waugh, Willits, Winkelman, Wirtz and Drake. A bill for an act relating to the planning for and conversion of Terrace Hill for use as a governor's mansion.	
Introduced, referred to state government	433
Amendment filed	1116
Amendment filed	1249
Amendment filed	1273
Sifting recommends calendar ..	1319
Rule suspended	1344
Amendment filed	1362
Amendment adopted	1362
Motion to substitute	1362
Motion to substitute lost	1362
Points of order raised	1362
Amendment adopted	1363
Amendment withdrawn	1363
Passed House. Ayes 65, nays 28 .	1364
Reported correctly enrolled ..	1448
Signed by Speaker	1449
Sent to Governor	1449
Signed by Governor	1457
1197 By Ways and Means. A bill for an act relating to property tax exemptions.	
Introduced, placed on calendar ..	433
Amendment filed	474
Amendments filed	519
Amendments filed	520
Amendments filed	552
Amendment filed	597
Amendment filed	610
Amendment adopted	610

HOUSE RECORD OF HOUSE BILLS

1499

H. F.	Page
Amendment adopted	611
Amendment lost	612
Amendment withdrawn	612
Amendments filed	615
Amendments filed	616
Amendments filed	617
Amendments filed	622
Motion filed to reconsider vote	634
Motion filed to reconsider vote	634
Motion to reconsider vote failed	635
Motion to substitute	635
Motion to substitute lost	636
Amendment filed	636
Amendment lost	637
Amendments withdrawn	638
Amendments adopted	638
Amendment filed	639
Amendments withdrawn	639
Amendment adopted	640
Amendment adopted	641
Amendment lost	641
Amendment adopted	642
Amendment filed	693
Amendments filed	694
Re-referred to ways and means	777
1198 By Judiciary. A bill for an act relating to the appeal of a condemnation award.	
Introduced, placed on calendar	453
Sifting recommends calendar	1319
Passed House. Ayes 82, nays none	1385
1199 By Social Services. A bill for an act to clarify legal settlement of minor children residing in institutions.	
Introduced, placed on calendar	453
Placed on calendar	515
Passed House. Ayes 80, nays none	569
1200 By Social Services. A bill for an act relating to post-mortem examinations.	
Introduced, placed on calendar	453
Placed on calendar	515
Passed House. Ayes 80, nays none	571
1201 By Strothman. A bill for an act relating to civil liability for criminal acts and providing for restitution to victims of crimes.	
Introduced, referred to law enforcement	454
Committee report	580
Recommended amendment, passage	580
Committee amendment	580
Committee report adopted	583
1202 By Strothman. A bill for an act relating to civil liability for criminal acts.	
Introduced, referred to judiciary	454
1203 By Judiciary. A bill for an act relating to erroneous and obsolete references in the Code of Iowa.	
Introduced, placed on calendar	454
Placed on calendar	515
Passed House. Ayes 81, nays none	570
Reported correctly enrolled	1405
Signed by Speaker	1405
Sent to Governor	1405
Signed by Governor	1457

H. F.	Page
1204 By Andersen. A bill for an act relating to the sales tax exemptions.	
Introduced, referred to ways and means	454
1205 By Kreamer. A bill for an act relating to motor vehicle accident reports.	
Introduced, referred to judiciary	454
Committee report	714
Recommended passage	714
Committee report adopted	772
Sifting recommends calendar	1319
Amendment filed	1385
Removed from calendar	1385
1206 By Knoke. A bill for an act relating to the expenditure of county funds for membership in county officers associations.	
Introduced, referred to county government	454
1207 By Conservation and Recreation. A bill for an act relating to the hunting of migratory waterfowl, the issuance of stamps, and the collection of fees.	
Introduced, placed on calendar	454
Passed House. Ayes 63, nays 8	834
Reported correctly enrolled	1318
Signed by Speaker	1318
Sent to Governor	1318
Signed by Governor	1450
1208 By Uban, Grassley and Fisher of Greene. A bill for an act to appropriate funds from the beer and liquor control fund to the Iowa commission on alcoholism.	
Introduced, referred to appropriations	454
1209 By Knoke. A bill for an act relating to the salaries of county attorneys.	
Introduced, referred to appropriations	454
1210 By Kreamer. A bill for an act to prohibit the expansion of certain curricula at the area schools.	
Introduced, referred to schools	454
1211 By Freeman. A bill for an act relating to the powers of the commissioner of insurance.	
Introduced, referred to commerce	494
1212 By Logemann, Lipsky, Schroeder, Christensen, Scott and Bergman. A bill for an act relating to the legal settlement of persons admitted or committed to, or becoming patients or residents of, state institutions, health care facilities, and similar public and private facilities.	
Introduced, referred to social services	494
1213 By Appropriations. A bill for an act making an appropriation to the office of sec-	

H. F.	Page	H. F.	Page
retary of state to defray expenses relating to the administration of election laws.		the use of electronic voting systems.	
Introduced, placed on calendar	494	Introduced, placed on calendar	495
Amendment filed	553	Passed House. Ayes 75, nays 3	783
Amendment adopted	588	1221 By Gluba. A bill for an act relating to migratory labor camps.	
Passed House. Ayes 79, nays 1	588	Introduced, referred to human and industrial relations	495
Reported correctly enrolled	1093	1222 By Winkelman. A bill for an act relating to the definition of industrial projects which a city or town may support.	
Signed by Speaker	1093	Introduced, referred to cities and towns	524
Sent to Governor	1093	1223 By Winkelman. A bill for an act relating to the issuance of environmental impact statements.	
Signed by Governor	1249	Introduced, referred to environmental preservation	524
Became law by publication	1464	1224 By Winkelman and Rex. A bill for an act relating to liens imposed on real estate owned by persons receiving care at county expense in certain institutions, or owned by persons responsible for the support of persons receiving such care.	
1214 By Appropriations. A bill for an act relating to funding of the merit system pay plan and making an appropriation.		Introduced, referred to county government	524
Introduced, placed on calendar	494	1225 By Priebe, Rex, Curtis, Schroeder, Miller, Scott, Norpel, Wells, Christensen, Bergman, Nielsen, Middleswart and Stanley. A bill for an act relating to standards for diesel fuel.	
Amendment filed	938	Introduced, referred to transportation	524
Amendment filed	1043	1226 By Trowbridge. A bill for an act relating to the sale of unused right of way property acquired by the highway commission for the improvement of highways.	
Amendment filed	1220	Introduced, referred to transportation	524
Amendment adopted	1228	1227 By Shaw. A bill for an act relating to posting of signs near intersections where passing of motor vehicles is prohibited.	
Amendment withdrawn	1228	Introduced, referred to transportation	524
Point of order raised	1229	1228 By Middleswart, Doyle and Holden. A bill for an act providing for extending the benefits of the federal old-age and survivors' insurance system to members of the General Assembly.	
Amendment filed	1229	Introduced, referred to state government	524
Amendment lost	1230	Amendment filed	1095
Amendment filed	1230	1229 By Small, Gluba, Kelly, Doyle, Schwieger, McCormick and Camp. A bill for an act to establish the office of penal and correctional com-	
Amendment lost	1231		
Passed House. Ayes 84, nays 8	1231		
Reported correctly enrolled	1448		
Signed by Speaker	1449		
Sent to Governor	1449		
Signed by Governor	1457		
1215 By Freeman and Campbell. A bill for an act relating to reversion to the state of abandoned railroad right-of-way.			
Introduced, referred to commerce	495		
Amendment filed	597		
1216 By Hansen. A bill for an act relating to the requirement that county mutual insurance associations must send out premium due notices.			
Introduced, referred to commerce	495		
1217 By Blouin. A bill for an act to make an appropriation from the general fund of the State of Iowa to the Governor's youth program.			
Introduced, referred to appropriations	495		
1218 By Small. A bill for an act relating to the excise tax on leaded and unleaded motor fuels.			
Introduced, referred to ways and means	495		
1219 By Conservation and Recreation. A bill for an act related to the destruction of undesirable fish.			
Introduced, placed on calendar	495		
Placed on calendar	595		
Passed House. Ayes 81, nays 4	799		
Reported correctly enrolled	1448		
Signed by Speaker	1449		
Sent to Governor	1449		
Signed by Governor	1457		
1220 By State Government. A bill for an act authorizing			

HOUSE RECORD OF HOUSE BILLS

1501

H. F.	Page
plaints, to define powers and duties, and to provide penalties.	
Introduced, referred to state government	525
1230 By Egenes (Van Drie). A bill for an act authorizing shuttle carrier service without a certificate of public convenience and necessity.	
Introduced, referred to commerce	560
1231 By Kelly and Larson. A bill for an act to regulate private trade, business, and correspondence schools and to provide a penalty.	
Introduced, referred to higher education	560
1232 By Nystrom. A bill for an act relating to leave of absence by reason of sickness or injury for state employees.	
Introduced, referred to state government	560
1233 By Tieden. A bill for an act relating to the designation of protected water areas.	
Introduced, referred to conservation and recreation.	560
1234 By Winkelman. A bill for an act to establish a rural physicians associate program and to provide an appropriation therefor.	
Introduced, referred to appropriations	560
1235 By Conservation and Recreation. A bill for an act relating to deer-hunting licenses.	
Introduced, placed on calendar .	561
Amendment filed	597
Amendment filed	958
1236 By Shaw and Knoke (Kennedy). A bill for an act establishing a workmen's compensation court, amending related sections, providing penalties and amending penal sections.	
Introduced, referred to judiciary	561
1237 By Small. A bill for an act relating to abandoned railroad right-of-way.	
Introduced, referred to commerce	561
1238 By Gluba. A bill for an act relating to the road use tax fund.	
Introduced, referred to ways and means	561
1239 By Lawson. A bill for an act authorizing cities and towns to acquire, improve, equip and lease pollution control facilities, and issue revenue bonds in connection therewith.	

H. F.	Page
Introduced, referred to environmental preservation	584
Withdrawn	1329
1240 By Agriculture. A bill for an act relating to minimum percentages of plant nutrients in mixed fertilizers.	
Introduced, placed on calendar .	585
1241 By Gluba, Holden and Bray. A bill for an act relating to the use of those funds distributed to cities and towns out of state liquor store sales.	
Introduced, referred to cities and towns	585
1242 By State Government. A bill for an act to establish a commission on compensation, expenses, and salaries for elective state officials and constitutional judicial officers.	
Introduced, placed on calendar ..	585
Sifting recommends calendar	854
Amendment filed	903
Amendments filed	984
Amendment withdrawn	1011
Amendment filed	1011
Point of order raised	1011
Amendments adopted	1012
Motion filed to reconsider vote ..	1012
Motion to reconsider vote pre- valled	1013
Motion filed to reconsider vote ..	1013
Motion to reconsider vote pre- valled	1013
Amendment lost	1014
Amendment adopted	1016
Amendment withdrawn	1016
Passed House. Ayes 71, nays 21	1016
Message from Senate	1341
Amendment filed	1376
Amendment adopted	1377
House concurred as House amended	1377
Repassed House. Ayes 80, nays 7	1377
Reported correctly enrolled	1448
Signed by Speaker	1449
Sent to Governor	1449
Signed by Governor	1457
1243 By Gluba and Small. A bill for an act to provide property tax relief for persons sixty-two years of age or older or totally disabled.	
Introduced, referred to ways and means	603
Amendment filed	1095
1244 By Gluba (Nicholson). A bill for an act to require passenger restraining devices in school buses, and providing a penalty for noncompliance with the requirement.	
Introduced, referred to schools .	603
1245 By Taylor. A bill for an act relating to candidates for public office in at-large elections.	
Introduced, referred to state government	603

H. F.	Page	H. F.	Page
1246	By Ways and Means. A bill for an act relating to taxation of financial institutions. Introduced, placed on calendar . 603 Referred to commerce 809	Passed House. Ayes 87, nays none 946 Reported correctly enrolled . . . 1115 Signed by Speaker 1115 Sent to Governor 1115 Signed by Governor 1296	
1247	By Appropriations. A bill for an act making appropriations to the educational radio and television facility board for the purpose of making capital improvements. Introduced, placed on calendar . 629 Amendment filed 767 Amendment filed 787 Amendment lost 801 Amendments filed 802 Amendment lost 802 Amendment adopted 802 Amendment lost 806 Passed House. Ayes 88, nays 4 . 807 Message from Senate 1062 Amendment filed 1117 Amendment filed 1118 Amendment withdrawn 1336 House concurred 1336 Repassed House. Ayes 85, nays 5 1337 Reported correctly enrolled . . . 1449 Signed by Speaker 1449 Sent to Governor 1449 Signed by Governor 1457	1254	By Law Enforcement. A bill for an act relating to the dollar amount necessary for the commission of a felony. Introduced, placed on calendar . 700
1248	By Gluba, Bennett, McCormick, Small, Dougherty, Wells, Willis, Ewell, Midleswart, Blouin, Anania, Jesse, Larson, Dunton, Knoblauch, Husak, and Mayberry. A bill for an act relating to benefits under the Iowa employment security law. Introduced, referred to human and industrial relations 630	1255	By Holden. A bill for an act relating to the distribution of motor vehicle registration fees by county treasurers. Introduced, referred to county government 700
1249	By Social Services. A bill for an act relating to eligibility for old-age assistance. Introduced, placed on calendar . 630 Sifting recommends calendar . . 1039 Passed House. Ayes 89, nays 1 . 1080	1256	By Transportation. A bill for an act to create a state transportation planning commission. Introduced, placed on calendar . 772 Amendment filed 1065
1250	By County Government. A bill for an act relating to the membership on the county boards of supervisors. Introduced, placed on calendar . 630	1257	By Ways and Means. A bill for an act relating to urban renewal projects and bonds. Introduced, placed on calendar . 772 Passed House. Ayes 75, nays 15 . 909 Motion filed to reconsider vote 910 Motion to reconsider vote withdrawn 945 Reported correctly enrolled . . . 1093 Signed by Speaker 1093 Sent to Governor 1093 Signed by Governor 1249
1251	By State Government. A bill for an act regulating governmental purchases. Introduced, placed on calendar . 630 Amendments filed 904	1258	By Transportation. A bill for an act to amend chapter 183, Acts of the Sixty-fourth General Assembly relating to motor vehicle inspection to extend the time within which a vehicle failing inspection must be repaired, to require inspection upon the transfer of a motor vehicle, to lengthen the period within which a motor vehicle must be inspected prior to transfer, to provide for administrative appeal, and to permit the regrooving of specially designed tires. Introduced, placed on calendar . 772 Passed House. Ayes 82, nays none 810 Message from Senate 1253 House concurred 1293 Repassed House. Ayes 88, nays 2 1293 Reported correctly enrolled . . . 1449 Signed by Speaker 1449 Sent to Governor 1449 Signed by Governor 1457
1252	By Taylor. A bill for an act relating to the method of selection and term of office of the members of the state highway commission and the chief engineer of the state highway commission. Introduced, referred to transportation 699	1259	By Transportation. A bill for an act relating to the use of motor vehicle "registration applied for" cards. Introduced, placed on calendar . 773 Placed on calendar 820 Passed House. Ayes 86, nays none 947 Reported correctly enrolled . . . 1449 Signed by Speaker 1449
1253	By Social Services. A bill for an act relating to the use of ambulance services at university hospital. Introduced, placed on calendar . 699 Placed on calendar 820		

HOUSE RECORD OF HOUSE BILLS

1503

H. F.	Page
Sent to Governor	1449
Signed by Governor	1457
1260 By Judiciary. A bill for an act relating to exemptions from execution and providing penalties.	
Introduced, placed on calendar	773
Passed House. Ayes 79, nays none	849
1261 By Law Enforcement. A bill for an act providing that rules and regulations of the fire marshal shall apply to child care facilities, motels, and apartment houses.	
Introduced, placed on calendar	773
1262 By Law Enforcement. A bill for an act relating to rules and regulations of the department of public safety on suspension and restriction of licenses.	
Introduced, placed on calendar	773
1263 By County Government. A bill for an act to prohibit the publishing of the names of county relief recipients and to provide penalties.	
Introduced, placed on calendar	773
1264 By Transportation. A bill for an act relating to the width of vehicles on roads and highways.	
Introduced, placed on calendar	789
1265 By State Government. A bill for an act relating to the 1972 primary election.	
Introduced, placed on calendar	789
Amendment filed	829
Sifting recommends calendar	854
Amendment adopted	868
Passed House. Ayes 54, nays 28	868
Motion filed to reconsider vote	869
Amendment filed	920
Motion to reconsider vote withdrawn	944
Amendment withdrawn	945
Message from Senate	1124
House concurred	1228
Amendments filed	1249
Motion filed to reconsider vote	1264
Motion to reconsider vote failed	1264
Repassed House. Ayes 73, nays 14	1264
Reported correctly enrolled	1449
Signed by Speaker	1449
Sent to Governor	1449
Signed by Governor	1457
Became law by publication	1465
1266 By County Government. A bill for an act relating to the offer or acceptance of gratuities in business transactions.	
Introduced, placed on calendar	789
Sifting recommends calendar	1021
Amendments filed	1096
1267 By Law Enforcement. A bill for an act providing that members of the division of fire protection of the department of public safety shall be members of the Iowa de-	

H. F.	Page
partment of public safety peace officers' retirement accident and disability system.	
Introduced, placed on calendar	789
Amendment filed	920
Referred to appropriations	957
1268 By Judiciary. A bill for an act relating to the liability of an owner or operator of a motor vehicle.	
Introduced, placed on calendar	789
1269 By Schools. A bill for an act amending the state school foundation program in chapter one hundred sixty-five (165), Acts of the Sixty-fourth General Assembly, First Session, by including in the definition of fall enrollment those resident pupils attending public schools in another district or state and out-of-state pupils attending public schools in the district, and including attendance at special education programs as well as classes excluding from miscellaneous income reimbursement received from programs provided under section two hundred fifty-seven point twenty-six (257.26) of the Code permitting a school district to increase its costs for the single school year beginning July 1, 1972, by the amount its federal aid increases over the previous year, and to exclude the increased amount from miscellaneous income excluding from miscellaneous income beginning July 1, 1973, all federal aids and reimbursements correcting the definition of district cost and defining total expenditures for the current year clarifying the method of determining maximum district cost correcting the method of determining additional school district property tax levy redefining the procedure for the school budget review committee to authorize an increase in maximum millage when a nonpublic school closes clarifying the duties of the school budget review committee in reviewing school budgets and correcting the limitation on costs incurred under section two hundred fifty-seven point twenty-six (257.26) of the Code, for which reimbursement may be claimed.	
Introduced, placed on calendar	789
Sifting recommends calendar	916
Passed House. Ayes 88, nays 1	967
Reported correctly enrolled	1405
Signed by Speaker	1405
Sent to Governor	1405
Signed by Governor	1458
1270 By Agriculture. A bill for an act relating to control of swine brucellosis.	

H. F.	Page	H. F.	Page
Introduced, placed on calendar .	790	Rule suspended	1312
Committee amendment filed	904	Passed House. Ayes 69, nays	
Withdrawn	1331	20	1313
1271 By Judiciary. A bill for an		1275 By Judiciary. A bill for an	
act relating to the time of		act relating to dissolution	
destruction of certain court		of marriage.	
records.		Introduced, passed on file	833
Introduced, placed on calendar .	790	Sifting recommends calendar ...	1021
Sifting recommends calendar ...	1021	Passed House. Ayes 85, nays 1	1075
Passed House. Ayes 91, nays		1276 By Ways and Means. A	
none	1077	bill for an act relating to the	
1272 By Commerce. A bill for		private sale, control, and dis-	
an act relating to bonded		tribution of wine containing	
warehouses.		not more than seventeen per-	
Introduced, placed on calendar .	790	cent alcohol by weight, de-	
Sifting recommends calendar ...	916	claring certain acts to be un-	
Passed House. Ayes 82, nays 4 .	953	lawful and prescribing pen-	
Motion filed to reconsider vote .	980	alties therefor.	
Amendment filed	985	Introduced, placed on calendar ..	833
Motion to reconsider vote with-		Amendments filed	905
drawn	1010	Amendment adopted	914
Amendment withdrawn	1011	Point of order raised	914
Message from Senate	1271	Amendment filed	914
Amendment filed	1310	Amendments lost	914
Amendment adopted	1310	Amendment filed	915
Motion to table	1310	Amendment lost	915
Motion to table lost	1310	Motion to table	915
House concurred as House		Ruled out of order	915
amended	1310	Amendments lost	916
Motion filed to reconsider vote	1311	Amendment filed	916
Motion to reconsider vote pre-		Point of order raised	916
valled	1311	Amendments filed	920
Motion filed to reconsider vote	1311	Amendments filed	921
Motion to reconsider vote failed	1311	Amendments adopted	933
House concurred	1382	Amendments withdrawn	933
Repassed House. Ayes 87, nays		Rule suspended	934
3	1383	Amendment filed	934
Message from Senate	1424	Amendments adopted	934
Motion filed to reconsider vote	1426	Amendment lost	935
Motion to reconsider vote pre-		Passed House. Ayes 62, nays 34 .	935
valled	1426	Motion filed to reconsider vote .	935
House receded	1426	Motion to reconsider vote laid	
Repassed House. Ayes 55, nays		on table	935
34	1427	Motion to reconsider vote laid on	
Motion filed to reconsider vote	1428	table prevailed	936
Motion to reconsider vote with-		1277 By Ways and Means. A bill	
drawn	1429	for an act relating to the ap-	
Reported correctly enrolled ...	1449	portionment of property val-	
Signed by Speaker	1449	uation of certain electric	
Sent to Governor	1449	power generating plants.	
Signed by Governor	1458	Introduced, placed on calendar .	833
1273 By Commerce. A bill for an		Amendment filed	905
act relating to regulation of		Amendment filed	959
advertising and selling of		Amendment filed	985
courses of instruction.		Amendment filed	1297
Introduced, placed on calendar .	790	1278 By Agriculture. A bill for	
Sifting recommends calendar ...	916	an act relating to the plan-	
Amendment filed	952	ning of a new state agricul-	
Amendment adopted	952	ture building and making an	
Passed House. Ayes 77, nays		appropriation.	
none	952	Introduced, referred to appropri-	
Message from Senate	1359	ations	865
House concurred	1370	1279 By Appropriations. A bill	
Repassed House. Ayes 88, nays		for an act authorizing exer-	
1	1370	cise of a purchase-option by	
Reported correctly enrolled ...	1449	the executive council and ap-	
Signed by Speaker	1449	propriating funds therefor.	
Sent to Governor	1449	Introduced, placed on appropri-	
Signed by Governor	1458	ation calendar	865
1274 By Law Enforcement. A		Amendments filed	959
bill for an act relating to the		Passed House. Ayes 55, nays 32 .	949
implied consent test for al-		Message from Senate	1246
cohol, and providing a pen-		Amendments filed	1323
alty.		Amendments adopted	1338
Introduced, placed on calendar .	790	House concurred as House	
Sifting recommends calendar ...	1040	amended	1338

H. F.	Page
Repassed House. Ayes 57, nays 35	1338
Message from Senate	1344
House insisted	1367
Conference committee appointed	1368
Message from Senate	1424
Conference committee report adopted	1425
Repassed House. Ayes 56, nays 33	1425
Motion filed to reconsider vote	1434
Motion to reconsider vote withdrawn	1445
Reported correctly enrolled	1449
Signed by Speaker	1449
Sent to Governor	1449
Signed by Governor	1458
1280 By Appropriations. A bill for an act relating to the appropriation to the state board of regents.	
Introduced, placed on appropriation calendar	892
Amendments filed	936
Amendments filed	1023
Amendment filed	1024
Amendment filed	1066
Amendments filed	1067
Amendment withdrawn	1086
Point of order raised	1086
Amendment lost	1087
Point of order raised	1087
Amendments lost	1088
Amendment withdrawn	1088
Point of order raised	1088
Amendment withdrawn	1089
Point of order raised	1089
Passed House. Ayes 60, nays 32	1089
1281 By Appropriations. A bill for an act making an appropriation to the state board of regents for the purpose of providing funds for use in a medical education and community orientation program.	
Introduced, placed on appropriation calendar	892
Passed House. Ayes 84, nays none	954
1282 By Appropriations. A bill for an act relating to the creation of a physicians' assistants fund and making an appropriation therefor.	
Introduced, placed on appropriation calendar	892
Passed House. Ayes 87, nays none	954
Reported correctly enrolled	1318
Signed by Speaker	1318
Sent to Governor	1318
Signed by Governor	1450
1283 By Ways and Means. A bill for an act relating to income tax of nonresidents.	
Introduced, placed on ways and means calendar	893
Amendment filed	959
Amendment adopted	967
Passed House. Ayes 93, nays none	968
Reported correctly enrolled	1449
Signed by Speaker	1449
Sent to Governor	1449
Signed by Governor	1458

H. F.	Page
1284 By County Government. A bill for an act relating to an increase in certain county fees.	
Introduced, referred to sifting	908
1285 By Agriculture. A bill for an act to provide an excise tax on the sale of eggs and providing a penalty for violations.	
Introduced, referred to sifting	908
1286 By Ways and Means. A bill for an act relating to the sale of real property owned by a school district.	
Introduced, placed on ways and means calendar	908
Passed House. Ayes 89, nays none	971
Reported correctly enrolled	1449
Signed by Speaker	1449
Sent to Governor	1449
Signed by Governor	1458
Became law by publication	1466
1287 By Judiciary. A bill for an act relating to state reciprocity in the enforcement of support decrees; providing for the enforcement in Iowa of support decrees granted in other states and the enforcement in other states of those granted in Iowa; providing for the registration in Iowa of support orders granted in other states; and providing for the administrative procedures necessary thereto.	
Introduced, referred to sifting	908
Amendment filed	960
Sifting recommends calendar	1021
Amendment adopted	1077
Passed House. Ayes 85, nays 5	1077
1288 By Ways and Means. A bill for an act providing for the full disclosure of the sales price in real estate transfers and providing penalties for violations of this act.	
Introduced, placed on ways and means calendar	908
Amendments filed	960
Amendments adopted	970
Amendments filed	970
Passed House. Ayes 67, nays 21	971
1289 By County Government. A bill for an act relating to community improvement districts, and providing powers to issue bonds and levy taxes with penalties.	
Introduced, referred to sifting	923
Amendment filed	1043
1290 By State Government. A bill for an act relating to the capital planning commission, the department of general services, duties of the labor commissioner, and the executive council.	
Introduced, referred to sifting	924
Sifting recommends calendar	1039

H. F.	Page	H. F.	Page
Amendment filed	1067	the purpose of studying the need, financing and planning for the construction of state office buildings.	
Amendment adopted	1146	Introduced, placed on appropriation calendar	1027
Amendment filed	1274	Amendment filed	1068
Amendment adopted	1373	Amendment filed	1069
Passed House. Ayes 84, nays 7	1373	Amendment adopted	1236
1291 By Appropriations. A bill for an act relating to the establishment of an office of citizens' aide, his duties, and providing penalties and making an appropriation.		Amendment filed	1287
Introduced, placed on appropriation calendar	940	Amendments adopted	1287
Amendments filed	936	Passed House. Ayes 87, nays 6	1287
Amendments filed	1024	Motion filed to reconsider vote	1288
Amendment filed	1043	Motion to reconsider vote withdrawn	1331
Amendments lost	1059	1296 By Appropriations. A bill for an act relating to the appropriation to the office of the geological survey.	
Amendment filed	1060	Introduced, placed on appropriation calendar	1027
Amendments adopted	1060	S.F. 1213 substituted	1143
Amendments lost	1060	Withdrawn	1144
Amendment lost	1061	1297 By Appropriations. A bill for an act relating to continuation of the study of the state mental health institutes and the existing institutions for juveniles under the department of social services.	
Amendment filed	1068	Introduced, placed on appropriation calendar	1027
Amendment filed	1118	Passed House. Ayes 86, nays none	1144
Amendment adopted	1130	Reported correctly enrolled	1449
Amendments filed	1131	Signed by Speaker	1449
Amendment lost	1131	Sent to Governor	1449
Amendments adopted	1131	Signed by Governor	1458
Ruled out of order	1132	1298 By Appropriations. A bill for an act to make appropriations to certain persons in the settlement of claims made against the State of Iowa.	
Amendment filed	1132	Introduced, placed on appropriation calendar	1072
Amendments lost	1132	Passed House. Ayes 84, nays 2	1238
Amendment adopted	1132	1299 By Appropriations. A bill for an act making an appropriation for the purpose of implementing and administering a state building code.	
Amendment withdrawn	1133	Introduced, placed on appropriation calendar	1072
Passed House. Ayes 70, nays 28	1133	Passed House. Ayes 86, nays 4	1289
Motion filed to reconsider vote	1227	Reported correctly enrolled	1449
Motion to reconsider vote failed	1306	Signed by Speaker	1449
Reported correctly enrolled	1449	Sent to Governor	1449
Signed by Speaker	1449	Signed by Governor	1458
Sent to Governor	1449	1300 By Appropriations. A bill for an act relating to Vietnam veterans' service compensation fund, authorizing the State of Iowa to become indebted in the amount of twenty-eight million dollars and providing for the issue and sale of bonds of the state in evidence thereof, and providing for the imposition, levy, and collection of a direct annual tax sufficient to pay the principal and interest of the bonds and providing a penalty.	
Signed by Governor	1458		
1292 By Appropriations. A bill for an act to increase the allocation for construction of state institutional roads and state park roads.			
Introduced, placed on appropriation calendar	940		
Passed House. Ayes 69, nays 8	1036		
Reported correctly enrolled	1318		
Signed by Speaker	1318		
Sent to Governor	1318		
Signed by Governor	1450		
1293 By Appropriations. A bill for an act to appropriate funds to the state highway commission for designated capital improvement programs.			
Introduced, placed on appropriation calendar	963		
S.F. 1201 substituted	1039		
Withdrawn	1039		
1294 By Appropriations. A bill for an act making an appropriation from the general fund of the State of Iowa to the Iowa world exposition authority.			
Introduced, placed on appropriation calendar	990		
Amendment filed	1044		
Amendment filed	1068		
Amendments filed	1118		
1295 By Appropriations. A bill for an act making an appropriation to the department of general services for			

HOUSE RECORD OF HOUSE BILLS

1507

H. F.	Page	H. F.	Page
Introduced, placed on appropri-		Amendment filed	1237
ation calendar	1092	Amendment lost	1238
Amendment filed	1118	Amendment filed	1239
Amendment filed	1220	Amendment lost	1240
Amendments filed	1221	Amendment adopted	1240
Amendment filed	1234	Amendment filed	1240
Point of order raised	1235	Amendments lost	1241
Amendment adopted	1235	Amendment filed	1241
Amendment filed	1235	Amendment filed	1277
Lines of amendment lost	1237	Amendment filed	1297
Lines of amendment withdrawn .	1237	Point of order raised	1432

RECORD OF SENATE BILLS IN HOUSE

SENATE JOINT RESOLUTIONS AND SENATE FILES
PASSED AND APPROVED—60

S.J.R. 1008

S.F.

77, 85, 163, 185, 202, 203, 260, 274, 334, 376, 392, 428, 431,
470, 471, 517, 590, 593, 1005, 1008, 1013, 1014, 1019, 1023, 1026, 1030,
1038, 1046, 1057, 1059, 1069, 1070, 1087, 1091, 1096, 1101, 1110, 1125, 1132,
1134, 1136, 1148, 1158, 1169, 1171, 1172, 1182, 1188, 1191, 1192, 1194, 1195,
1198, 1200, 1201, 1203, 1206, 1213, 1218.

SENT TO SECRETARY OF STATE
S.J.R. 1008

ITEM VETO ON BILLS APPROVED BY THE GOVERNOR
S.F. 1182

BILLS VETOED BY THE GOVERNOR
S.F. 1190

S. J. R.	Page	S. F.	Page
1007 By Constitutional Amend-ments and Reapportionment. A joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the power of the state to contract debts. Received, referred to sifting	1302	79 By Miller, Kennedy, Griffin and Thordsen (Monroe, Tieden, Schmeiser, Dunton and Fischer of Grundy). A bill for an act relating to hunting-safety education and providing a penalty. Re-referred to conservation and recreation	7
1008 By Conklin and Doderer. A joint resolution ratifying a proposed amendment to the Constitution of the United States relative to equal rights for men and women. Message from Senate	1427	Committee report	405
Motion to suspend rules	1439	Recommended amendment, pas-sage	405
Motion to suspend rules pre-ferred	1439	Committee amendment	405
Passed House. Ayes 73, nays 14	1442	Committee report adopted	410
Signed by Speaker	1449	Committee amendment filed	736
		Amendment filed	829
		85 By Lavery, Erskine, Cur-ran, Milligan and Smith (Varley, Blouin, Cochran, Miller, McCormick, Dougherty, Rodgers and Lawson). A bill for an act creating a de-partment of environmental quality, specifying its pow-ers, duties, and functions, and providing penalties for violations thereof. Re-referred to environmental preservation	63
S. F.	Page	Committee report	135
77 By Tapscott (Bray). A bill for an act to repeal the refer-endum for approval of low-rent housing projects and to substitute an alternate pro-cedure therefor. Amendment filed	155	Recommended amendment, pas-sage	135
Special order	159	Committee amendment	136
Amendment withdrawn	160	Committee report adopted	142
Amendment filed	161	Made special order	145
Amendments adopted	161	Amendment filed	145
Amendment lost	162	Amendments filed	185
Amendment filed	162	Amendment filed	187
Point of order raised	162	Amendment filed	190
Amendment filed	164	Amendments filed	191
Amendment withdrawn	167	Special order	197
Amendments filed	168	Rule suspended	197
Amendments adopted	168	Point of order raised	197
Passed House. Ayes 63, nays 32	168	Amendment adopted	198
Explanation of vote	251	Motion filed to reconsider vote	199
Signed by Speaker	446		

S. F.	Page
Amendments filed	917
Amendment filed	938
Amendment filed	981
Amendments adopted	1303
Amendment filed	1304
Amendment adopted	1304
Amendments adopted	1305
Passed House. Ayes 82, nays 7 ..	1305
Signed by Speaker	1449
202 By County Government. A bill for an act relating to changing of names by individuals.	
Committee report	326
Recommended passage	326
Committee report adopted	353
Amendment withdrawn	436
Amendments adopted	436
Amendments filed	449
Amendment filed	521
Amendment adopted	566
Amendment filed	567
Amendments adopted	567
Failed to pass House. Ayes 48, nays 28	567
Motion filed to reconsider vote ..	568
Motion to reconsider vote prevailed ..	979
Passed House. Ayes 65, nays 20 ..	979
Explanation of vote	991
Signed by Speaker	1449
203 By County Government. A bill for an act relating to administrative rules and regulations.	
Committee report	163
Recommended passage	163
Committee report adopted	166
Amendment withdrawn	217
Passed House. Ayes 80, nays 4 ..	217
Motion filed to reconsider vote ..	218
Explanation of vote	251
Motion to reconsider vote withdrawn	261
Signed by Speaker	446
223 By Briles. A bill for an act relating to licenses and the tax on the sale of tickets of admission for professional boxing and wrestling matches.	
Received, referred to commerce ..	630
259 By Erskine (Shaw). A bill for an act relating to the imposition of an annual registration fee upon all motorboats and sailboats in lieu of personal property taxes and providing penalties for violations.	
Amendment filed	226
260 By Briles. A bill for an act relating to weather modification in counties.	
Committee report	465
Recommended passage	465
Committee report adopted	494
Amendment filed	553
Amendment adopted	844
Passed House. Ayes 69, nays 14 ..	844
Motion filed to reconsider vote ..	845
Motion to reconsider vote laid on table prevailed	845
Signed by Speaker	1115

S. F.	Page
274 By Riley (Dougherty, Stokes, Strand, Priebe and Schmeiser). A bill for an act relating to age discrimination in employment.	
Received, referred to sifting	940
Sifting recommends calendar ..	1021
Passed House. Ayes 79, nays none	1074
Signed by Speaker	1219
282 By Riley. A bill for an act relating to the issuance of bonds by cities and towns.	
Re-referred to cities and towns ..	7
323 By Davis and Doderer. A bill for an act relating to negotiation proceedings of public agencies.	
Re-referred to human and industrial relations	7
Sifting recommends calendar ..	1319
Objection filed	1327
334 By Agriculture. A bill for an act relating to the vending of foods and beverages and providing a penalty.	
Received, referred to agriculture ..	143
Committee report	288
Recommended passage	289
Committee report adopted	297
Amendment filed	407
Amendment filed	553
Amendments adopted	565
Passed House. Ayes 79, nays 5 ..	566
Message from Senate	630
House concurred	849
Repassed House. Ayes 63, nays 16	850
Motion filed to reconsider vote ..	867
Motion filed to reconsider vote ..	976
Motion to reconsider vote failed ..	977
Explanation of vote	991
Signed by Speaker	1115
336 By Gaudineer. A bill for an act relating to replevin bonds.	
Received, referred to judiciary ..	298
Committee report	612
Recommended passage	613
Committee report adopted	629
356 By Gaudineer, Kennedy and Miller. A bill for an act relating to permits to carry concealed weapons, and to provide punishment for those persons who violate the act.	
Received, referred to law enforcement	251
Amendment filed	392
Amendment filed	449
369 By Kennedy, Briles, Gilley, Riley, Walsh, Kyhl, Potter, Gaudineer, Lamborn and Shawayer (Tleden, Doyle, Ellsworth, Taylor, Mendenhall, Blouin and McCormick). A bill for an act to authorize certain vehicle safety regulations on streets and highways and to prescribe a penalty.	
Re-referred to law enforcement ..	7
376 By Coleman and Kyhl. A bill for an act relating to	

HOUSE RECORD OF SENATE BILLS

1511

S. F.	Page
vehicle equipment require- ments.	
Received, referred to sifting	1317
Sifting recommends calendar	1319
Amendment filed	1393
Amendment adopted	1394
Passed House. Ayes 79, nays 12	1394
Signed by Speaker	1449
 392 By Agriculture. A bill for an act relating to the eradica- tion of hog cholera and the control and eradication of the swine diseases.	
Message from Senate	108
House receded	170
Motion filed to reconsider vote	171
Motion filed to reconsider vote	196
Motion to reconsider vote pre- valled	232
House insists in part	233
Motion to reconsider vote pre- valled	233
House recedes in part	234
Conference committee appointed.	251
Conference committee report	497
Message from Senate	526
Conference committee report adopted	563
Repassed House. Ayes 74, nays 6	564
Signed by Speaker	917
 418 By Gaudineer. A bill for an act relating to benefits for veterans in state employ- ment.	
Committee report	465
Recommended passage	465
Committee report adopted	494
Placed on calendar	515
Amendment filed	582
Removed from calendar	605
 428 By Judiciary. A bill for an act to provide a unified trial court having district court judges, district associate judges, and judicial magis- trates; to discontinue inferior courts; to establish traffic violations offices within the district court to receive uni- form traffic violation penalti- ties; to prescribe procedures for district courts, and provid- ing penalties.	
Amendment filed	59
Committee report	328
Recommended amendment, pas- sage	328
Committee amendment	328
Committee report adopted	353
Committee amendment filed	449
Amendment filed	474
Amendments filed	521
Rule suspended	529
Amendment filed	546
Amendment adopted	547
Amendment adopted	548
Motion filed to reconsider	548
Amendment filed	553
Amendments filed	554
Amendment filed	556
Motion to reconsider vote failed	607
Amendments withdrawn	607
Committee amendments with- drawn	608
Amendments withdrawn	608
Correction by Chief Clerk	608
Amendment filed	608

S. F.	Page
Amendment adopted	608
Passed House. Ayes 65, nays 33	608
Motion filed to reconsider vote	609
Explanation of vote	609
Motion to reconsider vote with- drawn	700
Message from Senate	833
House insisted	869
Conference committee appointed	869
Message from Senate	870
Conference committee report	1146
Message from Senate	1246
Conference committee report adopted	1267
Repassed House. Ayes 76, nays 16	1269
Motion filed to reconsider vote	1270
Explanation of vote	1281
Motion to reconsider vote failed	1366
Signed by Speaker	1449
 431 By Conservation and Rec- reation. A bill for an act relating to hunting restric- tions.	
Committee report	200
Recommended amendment, pas- sage	200
Committee amendment	200
Committee report adopted	211
Amendment filed	219
Committee amendment adopted	241
Point of order raised	241
Amendment lost	241
Amendment filed	241
Amendment lost	242
Amendment filed	242
Amendment adopted	242
Amendment withdrawn	242
Passed House. Ayes 84, nays 6	243
Message from Senate	279
House insisted	417
Conference committee appointed	434
Conference committee report	585
Message from Senate	1072
Conference committee report adopted	1102
Repassed House. Ayes 87, nays none	1103
Signed by Speaker	1296
 446 By Transportation. A bill for an act relating to the overall length of combina- tions of vehicles.	
Re-referred to transportation	7
 463 By Ways and Means. A bill for an act relating to registration fees for snowmo- biles and the disposition of the fees.	
Amendment filed	153
 470 By Doderer (Fisher of Greene, Grassley, Andersen and Rex). A bill for an act relating to deferred compen- sation for governmental em- ployees.	
Received, referred to state gov- ernment	6
Committee report	87
Recommended passage	88
Committee report adopted	90
Re-referred to state govern- ment	104
Committee report	164
Recommended passage	164
Committee report adopted	166

S. F.	Page	S. F.	Page
Amendment filed	191	court house located in Eldora, Iowa.	
Amendments filed	207	Re-referred to judiciary	7
Amendments filed	219	549 By Judiciary. A bill for an act relating to the appointment and election of state judicial nominating commissioners.	
Referred to appropriations	267	Re-referred to judiciary	7
Amendment filed	309	566 By Human and Industrial Relations. A bill for an act relating to private employment agency fees and appeals from decisions of the labor commissioner.	
Amendment filed	901	Received, referred to human and industrial relations	561
Committee report	937	Re-referred to state government	587
Recommended amendment, passage	937	Amendment filed	830
Committee amendment	937	Amendment filed	901
Committee report adopted	940	590 By Appropriations. A bill for an act relating to a renal disease program and to provide an appropriation therefor.	
Committee amendment adopted	956	Committee report	613
Amendments withdrawn	965	Recommended amendment, passage	613
Passed House. Ayes 71, nays 14 ..	965	Committee amendment	613
Signed by Speaker	1347	Committee report adopted	629
471 By Transportation. A bill for an act relating to the annual registration fee for urban transit company vehicles.		Amendments filed	782
Received, referred to transportation	251	Amendment adopted	782
Committee report	548	Amendment lost	782
Recommended passage	548	Committee amendment adopted ..	782
Committee report adopted	560	Passed House. Ayes 78, nays 4 ..	782
Placed on calendar	595	Signed by Speaker	1021
Passed House. Ayes 85, nays 1 ..	800	593 By Appropriations. A bill for an act to make an appropriation to the executive council for the acquisition of land and buildings, and the remodeling, construction and equipping of a medical school in counties having a population of over two hundred thousand.	
Signed by Speaker	917	Amendment filed	119
480 By Agriculture. A bill for an act prohibiting the sale, offer for sale, and distribution of teasel or seeds, making teasel a noxious weed, and providing a penalty.		Committee report	595
Re-referred to agriculture	7	Recommended amendment, passage	595
517 By Schools. A bill for an act to revise, update, and correct certain sections of the Code of Iowa relating to school districts and school corporations.		Committee amendment	595
Received, referred to sifting ...	1099	Committee report adopted	603
Sifting recommends calendar ...	1319	Amendments filed	779
Passed House. Ayes 90, nays none	1374	Committee amendment adopted ..	779
Signed by Speaker	1449	Amendment withdrawn	779
520 By Judiciary. A bill for an act relating to the Iowa tort claims act.		Amendments adopted	779
Received, referred to judiciary ..	630	Passed House. Ayes 69, nays 18 ..	780
523 By Ways and Means. A bill for an act relating to the tax exemption on forest and fruit-tree reservations.		Signed by Speaker	1115
Sifting recommends calendar ...	1040	1003 By County Government. A bill for an act relating to support payments as the result of a dissolution of marriage.	
Amendment filed	1093	Received, referred to county government	223
527 By Appropriations. A bill for an act relating to reports of treasurers of political subdivisions.		Committee report	466
Re-referred to sifting	1081	Recommended passage	466
534 By Judiciary. A bill for an act relating to the manner in which court reporters are compensated.		Committee report adopted	494
Re-referred to judiciary	7	Placed on calendar	515
539 By State Government. A bill for an act to legalize the proceedings of the board of supervisors of Hardin county in connection with contracts and expenditures made for the remodeling of the county		Amendment filed	532
		Amendment filed	601
		Amendment filed	694
		Amendment filed	830
		Objection filed	1402
		Objection withdrawn	1423

HOUSE RECORD OF SENATE BILLS

1513

S. F.	Page
1004 By County Government. A bill for an act relating to the valuation of certain public utilities.	
Received, referred to county government	143
1005 By County Government. A bill for an act relating to the military records of veterans.	
Received, referred to county government	143
Committee report	466
Recommended passage	466
Committee report adopted	494
Placed on calendar	515
Passed House. Ayes 73, nays 2 ..	575
Signed by Speaker	612
1008 By Brownlee, Ollenburg and Carlson (Fischer of Grundy, Freeman, McElroy, and Priebe). A bill for an act relating to bank holding companies, bank offices, certain real estate loans by state banks, and fees paid by state banks for management, financial advice, consultation or services, and prescribing penalties for violations.	
Received, referred to commerce ..	394
Committee report	466
Recommended passage	466
Amendment filed	491
Committee report adopted	494
Amendment filed	521
Amendments filed	557
Amendment filed	695
Amendments filed	696
Amendment filed	703
Amendment lost	703
Amendment lost	705
Amendment withdrawn	705
Amendments lost	706
Amendments filed	706
Amendment filed	707
Amendment lost	707
Amendment lost	708
Amendment adopted	708
Amendments filed	709
Amendment adopted	709
Amendments lost	709
Point of order raised	709
Amendment lost	710
Amendment withdrawn	710
Amendment filed	710
Motion to substitute	710
Motion to substitute lost	711
Amendment lost	712
Amendment adopted	712
Passed House. Ayes 84, nays 11 ..	713
Motion filed to reconsider vote ..	713
Motion to reconsider vote laid on table	713
Motion to reconsider vote laid on table prevailed	713
Signed by Speaker	957
1010 By Potter. A bill for an act relating to real estate broker trust funds.	
Received, referred to judiciary ..	604
1013 By Commerce. A bill for an act relating to the rate of interest on public utility refunds to customers.	
Received, passed on file	211
Amendment filed	219

S. F.	Page
Amendments filed	220
Substituted for H. F. 1053	225
Point of order raised	225
Amendment filed	227
Amendment filed	246
Points of order raised	257
Amendment lost	258
Amendments lost	259
Point of order raised	259
Passed House. Ayes 92, nays none	260
Signed by Speaker	446
1014 By Robinson, Riley and Potter (Stanley, Wells, Lipsky, Radl and Sorg). A bill for an act relating to money advances by county boards of supervisors to county conservation boards from money in the county general funds.	
Received, referred to judiciary ..	278
Amendment filed	427
Committee report	471
Recommended amendment, passage	471
Committee amendment	471
Committee report adopted	494
Placed on calendar	515
Committee amendment adopted ..	574
Amendment adopted	574
Passed House. Ayes 71, nays 7 ..	574
Signed by Speaker	857
1015 By Judiciary. A bill for an act relating to expert witness fees.	
Received, referred to judiciary ..	159
1019 By Judiciary. A bill for an act making the violation of the Iowa commercial feed law of 1964 a misdemeanor and providing a penalty therefor.	
Received, referred to judiciary ..	212
Committee report	714
Recommended passage	714
Committee report adopted	772
Placed on calendar	820
Passed House. Ayes 86, nays none	947
Signed by Speaker	1021
1023 By County Government. A bill for an act relating to county motor vehicle registration fees.	
Received, referred to county government	212
Committee report	326
Recommended passage	326
Committee report adopted	353
Passed House. Ayes 84, nays 2 ..	438
Signed by Speaker	516
1024 By County Government. A bill for an act relating to the employment of county relief recipients on government owned properties, parks, and recreation centers in payment for and as a condition of granting relief.	
Received, referred to county government	231
Committee report	466
Recommended passage	466
Committee report adopted	494
Amendment filed	601
Amendment filed	627

H. F.	Page	S. F.	Page
1026 By Arbuckle (Fischer of Greene). A bill for an act relating to actions arising out of injuries or damages caused by the operation of a motor boat.		and Story, State of Iowa, authorizing and providing for the sale and issuance of school building bonds and for the levy of taxes for the payment of said bonds and declaring the bonds issued pursuant to said proceedings to be enforceable obligations of said school district.	
Received, referred to judiciary ..	353	Proof of publication certified	166
Committee report	613		
Recommended passage	613	1056 By Van Drie, Tapscott, Doderer, Rhodes, Neu, Lamborn and Briles. A bill for an act relating to legal holidays for state employees.	
Committee report adopted	629	Received, referred to sifting	1326
Sifting recommends calendar	1039		
Passed House. Ayes 90, nays none	1081	1057 By Van Drie (Egenes). A bill for an act relating to exceptions to the time limits during which certain civil actions must be brought.	
Signed by Speaker	1219	Received, referred to sifting ...	991
1030 By County Government. A bill for an act relating to the recording of blind, deaf and handicapped persons by the assessor.		Sifting recommends calendar	1039
Received, referred to county government	251	Sifting recommends calendar	1319
Committee report	466	Passed House. Ayes 67, nays 15 ..	1384
Recommended passage	466	Signed by Speaker	1449
Committee report adopted	494		
Placed on calendar	595	1059 By Gross (Waugh, Sargisson, Doyle and Andersen). A bill for an act relating to the authority of merged areas to borrow money in anticipation of the collection of a voted tax for school facilities.	
Correction by Chief Clerk	808	Received, referred to sifting ...	1326
Amendment filed	808	Sifting recommends calendar	1395
Amendment adopted	808	Amendment filed	1411
Passed House. Ayes 85, nays none	809	Point of order raised	1411
Signed by Speaker	957	Amendment filed	1412
1034 By Potgeter. A bill for an act relating to facilities required of class B beer permit holders.		Amendment lost	1412
Received, referred to sifting	1326	Amendment filed	1413
		Amendments adopted	1413
1038 By Van Gilst. A bill for an act relating to eminent domain.		Passed House. Ayes 86, nays 5 ..	1413
Received, referred to sifting	1092	Message from Senate	1428
Sifting recommends calendar	1319	House receded	1435
Passed House. Ayes 72, nays 11 ..	1391	Repassed House. Ayes 82, nays 6	1435
Signed by Speaker	1449	Signed by Speaker	1449
1046 By Potgeter (Welden). A bill for an act permitting the commissioner of social services to grant easements for water or sewage lines and for drainage across certain lands belonging to the state.		1066 By Law Enforcement. A bill for an act relating to penalties for the commission of or the attempt to commit certain crimes when armed with firearms or knives.	
Received, passed on file	278	Received, referred to law enforcement	561
Substituted for H.F. 1048	278		
Rule suspended	278	1069 By Schools. A bill for an act relating to terms of office of county superintendents of schools.	
Passed House. Ayes 80, nays none	278	Received, referred to schools	312
Motion filed to reconsider vote ..	279	Committee report	471
Amendment filed	408	Recommended passage	471
Motion to reconsider vote prevailed	418	Committee report adopted	494
Amendment adopted	418	Sifting recommends calendar	916
Repassed House. Ayes 80, nays none	419	Passed House. Ayes 83, nays none	975
Signed by Speaker	612	Explanation of vote	991
1049 By Riley and Balloun (Sorg and Tieden). A bill for an act permitting the sale of mobile homes.		Signed by Speaker	1040
Received, referred to sifting ...	1272	1070 By Schools. A bill for an act relating to the approval, coordination, and supervision	
1055 By Arbuckle (Nystrom). A bill for an act to legalize and validate proceedings of the board of directors of the united community school district in the counties of Boone			

S. F.	Page
over electronic data processing for educational purposes.	
Received, referred to schools	434
Committee report	471
Recommended passage	471
Committee report adopted	494
Placed on calendar	515
Amendment filed	696
Amendment adopted	784
Passed House. Ayes 78, nays none	785
Signed by Speaker	1115
 1087 By Judiciary. A bill for an act relating to the designation of the general assembly and acts thereof.	
Received, referred to judiciary	604
Committee report	714
Recommended passage	714
Committee report adopted	772
Passed House. Ayes 83, nays none	848
Signed by Speaker	957
 1088 By Judiciary. A bill for an act relating to classification of claims against estates.	
Received, referred to judiciary	561
 1089 By Judiciary. A bill for an act relating to the grand jury.	
Received, referred to judiciary	455
 1090 By County Government. A bill for an act relating to commitment of alcohol and drug addicts.	
Received, referred to county government	525
Committee report	614
Recommended amendment, passage	614
Committee amendment	614
Committee report adopted	629
Amendment filed	697
 1091 By Appropriations. A bill for an act making an appropriation to the department of public instruction for the purpose of participating in certain federal programs.	
Received, referred to appropriations	561
Committee report	821
Recommended passage	822
Committee report adopted	831
Amendment filed	902
Amendment adopted	948
Passed House. Ayes 87, nays none	948
Message from Senate	1100
House insisted	1110
Conference committee appointed	1111
Conference committee report	1129
Message from Senate	1291
Conference committee report adopted	1306
Repassed House. Ayes 82, nays none	1308
Signed by Speaker	1449
 1096 By Ways and Means. A bill for an act relating to tax assessment procedures.	
Received, referred to ways and means	604
Committee report	957
Recommended passage	957

S. F.	Page
Committee report adopted	963
Amendment filed	982
Amendment filed	983
Amendment filed	1021
Amendments filed	1054
Amendment lost	1054
Amendment adopted	1054
Amendment adopted	1055
Point of order raised	1055
Amendments adopted	1056
Passed House. Ayes 80, nays 9	1057
Motion filed to reconsider vote	1057
Motion to reconsider vote withdrawn	1226
Signed by Speaker	1449
 1101 By Ways and Means. A bill for an act relating to the taxation of real estate transfers and the penalty for failure to comply.	
Received, referred to ways and means	495
Committee report	901
Recommended passage	901
Committee report adopted	908
Motion to table	968
Point of order raised	968
Motion to table	969
Motion to table lost	969
Amendment filed	983
Amendment filed	1022
Amendment withdrawn	1282
Amendment adopted	1282
Passed House. Ayes 59, nays 28	1282
Signed by Speaker	1449
 1102 By Curran, Potter, Erskine, Nicholson, Kennedy, Thorsen and Walsh (Lawson, Ellsworth, Andersen and Drake). A bill for an act relating to the service tax on storage of goods.	
Received, referred to sifting	1127
 1110 By Judiciary. A bill for an act to legalize a transfer of real property from the board of directors of the Prairie Community school district, Gowrie, Iowa to Russell Jondle and Florence M. Jondle.	
Proof of publication certified	311
Received, referred to judiciary	604
Sifting recommends calendar	1039
Passed House. Ayes 89, nays 1	1084
Signed by Speaker	1219
 1111 By Judiciary. A bill for an act relating to the compensation of members of the General Assembly.	
Received, referred to sifting	1092
 1125 By Ways and Means. A bill for an act to change the fiscal year of cities and towns, counties, and other political subdivisions.	
Received, passed on file	604
Substituted for H.F. 1175	605
Rule suspended	605
Amendment filed	605
Amendment lost	605
Passed House. Ayes 82, nays 12	605
Motion filed to reconsider vote	606
Motion to reconsider vote withdrawn	700
Signed by Speaker	1021

S. F.	Page	S. F.	Page
1132	By Judiciary. A bill for an act correcting erroneous, inconsistent, and obsolete sections of the Code of Iowa, including some penalty sections.	Amendment filed	958
	Received, referred to sifting	Sifting recommends calendar	1040
	Sifting recommends calendar	Amendment filed	1070
	Passed House. Ayes 86, nays none	Amendment filed	1250
	Signed by Speaker	Amendments withdrawn	1265
		Amendment withdrawn	1330
1134	By Conservation and Recreation. A bill for an act relating to the regulation of trout fishing.	Passed House. Ayes 88, nays none	1330
	Received, referred to conservation and recreation	Signed by Speaker	1449
	Sifting recommends calendar		
	Passed House. Ayes 81, nays 3	1170	By Agriculture. A bill for an act relating to the department of agriculture and inspection services.
	Signed by Speaker	Received, referred to sifting	1223
1136	By Rabedeaux. A bill for an act providing financial benefits for the education of children of persons classified as prisoners of war or missing in action in Viet Nam.	1171	By Agriculture. A bill for an act related to licensing of vehicles from which food and dairy products are sold.
	Received, referred to sifting	Received, referred to sifting	1072
	Sifting recommends calendar	Sifting recommends calendar	1319
	Passed House. Ayes 87, nays none	Passed House. Ayes 77, nays 1	1389
	Signed by Speaker	Signed by Speaker	1449
1148	By Human and Industrial Relations. A bill for an act relating to the civil rights of physically and mentally handicapped persons.	1172	By Conservation and Recreation. A bill for an act relating to the authority of the state conservation commission and providing a penalty.
	Received, referred to state government	Received, referred to sifting	1029
	Sifting recommends calendar	Sifting recommends calendar	1039
	Amendment filed	Passed House. Ayes 90, nays none	1082
	Amendment filed	Signed by Speaker	1219
	Amendment adopted		
	Amendment adopted	1182	By Appropriations. A bill for an act to appropriate funds from the general fund of the State of Iowa to the Iowa crime commission for the purpose of matching federal funds to support certain activities within local government units and creating a legislative advisory committee.
	Passed House. Ayes 79, nays 3	Received, referred to appropriations	941
	Signed by Speaker	Committee report	981
		Recommended passage	981
1149	By Briles (Rex and Pelton). A bill for an act relating to salaries of certain county officers.	Committee report adopted	987
	Received, referred to sifting	Passed House. Ayes 81, nays 6	1290
	Amendment filed	Signed by Speaker	1347
1158	By Iowa Development. A bill for an act relating to certain municipalities' pollution control facilities and sewage construction projects.	1184	By Ways and Means. A bill for an act relating to the payment of the tax equivalent on industrial projects supported by cities and towns.
	Received, referred to sifting ...	Received, referred to ways and means	991
	Sifting recommends calendar	Sifting recommends calendar	1319
	Amendment filed		
	Amendment filed	1188	By Appropriations. A bill for an act relating to the publication of educational and scientific reports by the state archaeologist.
	Amendment adopted	Received, referred to appropriations	941
	Amendment adopted	Committee report	981
	Passed House. Ayes 85, nays 1	Recommended passage	981
	Signed by Speaker	Committee report adopted	987
		Passed House. Ayes 77, nays none	1036
1169	By Ways and Means. A bill for an act relating to references to the internal revenue code in the computation of individual and corporate income tax and franchise tax.	Signed by Speaker	1115
	Received, referred to ways and means		

HOUSE RECORD OF SENATE BILLS

1517

S. F.	Page
1189 By Appropriations. A bill for an act relating to the use and method of allocating funds appropriated for programs administered by the Iowa commission on alcoholism and making an appropriation.	
Received, referred to appropriations	992
Rule suspended	1360
Committee report	1403
Recommended amendment, passage	1404
Committee amendment	1404
Amendment filed	1405
Amendment filed	1407
Committee report adopted	1410
Amendment filed	1450
1190 By County Government. A bill for an act relating to the regulation of county homes.	
Received, referred to sifting	1252
Amendment filed	1277
Amendments filed	1278
Amendment filed	1299
Sifting recommends calendar	1319
Amendment adopted	1332
Amendment withdrawn	1332
Amendment filed	1332
Amendment lost	1333
Amendment lost	1334
Passed House. Ayes 70, nays 22	1334
Signed by Speaker	1449
1191 By Judiciary. A bill for an act relating to business corporations.	
Received, referred to sifting	1092
Amendment filed	1115
Sifting recommends calendar	1319
Amendments withdrawn	1388
Amendments adopted	1388
Passed House. Ayes 80, nays none	1389
Signed by Speaker	1449
1192 By Law Enforcement. A bill for an act relating to the control of dangerous substances and the board of pharmacy.	
Received, referred to sifting	1128
Sifting recommends calendar	1319
Passed House. Ayes 78, nays 5	1387
Signed by Speaker	1449
1194 By Judiciary. A bill for an act relating to the Iowa probate code.	
Received, referred to sifting	1092
Amendment filed	1348
Sifting recommends calendar	1395
Amendment withdrawn	1410
Passed House. Ayes 82, nays none	1410
Signed by Speaker	1449
1195 By County Government. A bill for an act relating to the drawing of grand jurors.	
Received, referred to sifting	1092
Sifting recommends calendar	1319
Amendment filed	1355
Amendment adopted	1386
Passed House. Ayes 80, nays 1	1386
Signed by Speaker	1449

S. F.	Page
1198 By Ways and Means. A bill for an act to allow cities and towns to extend agreements to refrain from annexing specifically described territory.	
Received, referred to ways and means	992
Sifting recommends calendar	1039
Passed House. Ayes 94, nays none	1083
Signed by Speaker	1219
1200 By Agriculture. A bill for an act relating to control of swine brucellosis.	
Received, referred to sifting	1317
Sifting recommends calendar	1319
Passed House. Ayes 84, nays none	1331
Signed by Speaker	1449
1201 By Appropriations. A bill for an act to appropriate funds to the state highway commission for designated capital improvement programs.	
Received, passed on file	1032
Substituted for H. F. 1293	1039
Passed House. Ayes 53, nays 32	1058
Signed by Speaker	1219
1203 By Appropriations. A bill for an act making an appropriation from the general fund of the state to the department of public defense for various capital improvements, and providing for emergency helicopter ambulance service.	
Received, referred to appropriations	1093
Amendment filed	1117
Amendment filed	1221
Amendment filed	1324
Rule suspended	1360
Committee report	1404
Recommended passage	1404
Amendments filed	1407
Amendment filed	1408
Committee report adopted	1410
Amendment adopted	1413
Amendment withdrawn	1418
Amendment filed	1418
Amendment adopted	1419
Amendment adopted	1420
Amendment filed	1420
Motion to table	1420
Motion to table lost	1421
Amendments lost	1421
Amendments lost	1422
Passed House. Ayes 55, nays 35	1422
Signed by Speaker	1449
1204 By Appropriations. A bill for an act making an appropriation to the Iowa law-enforcement academy for the construction of a building.	
Received, referred to appropriations	1223
1206 By State Government. A bill for an act relating to the method of paying state employees.	
Received, referred to sifting	1272
Sifting recommends calendar	1319

S. F.	Page	S. F.	Page
Passed House. Ayes 84, nays none	1392	nonpublic school students and to make an appropriation therefor.	
Signed by Speaker	1449	Received, referred to appropriations	1128
1208 By Judiciary. A bill for an act to prohibit discrimination by licensing associations.		Amendment filed	1324
Received, referred to sifting ...	1273	Motion to withdraw	1416
1210 By Law Enforcement. A bill for an act relating to benefits under the peace officers' retirement system.		Motion to suspend rules	1423
Received, referred to sifting ...	1302	Motion to suspend rules	1429
Sifting recommends calendar ...	1395	Motion to table	1429
Amendment filed	1396	Call of the House requested ...	1429
Point of order raised	1399	Call of the House	1429
Amendment adopted	1399	Call of the House lifted	1430
Objection filed	1399	Motion to table prevailed	1430
Motion to suspend rules	1400	1217 By Schools. A bill for an act to permit a school corporation to transfer moneys from the general fund to the schoolhouse fund, if the transfer is approved by the voters.	
Motion failed	1400	Received, referred to sifting ...	1326
1213 By Appropriations. A bill for an act relating to the appropriation of the office of the geological survey.		1218 By Human and Industrial Relations. A bill for an act relating to occupational safety and health, providing appropriations to carry out the provisions of this act, and providing penalties for violations.	
Received, referred to appropriations	1093	Received, referred to sifting ...	1317
Substituted for H.F. 1296	1143	Sifting recommends calendar ...	1319
Passed House. Ayes 86, nays 3 ..	1143	Rule suspended	1342
Signed by Speaker	1296	Amendment filed	1343
1214 By Appropriations. A bill for an act relating to reimbursement to local school districts, county school systems, joint county systems, or equivalent intermediate units for auxiliary services to		Amendment adopted	1343
		Passed House. Ayes 92, nays 1 ..	1343
		Signed by Speaker	1449

HOUSE CONCURRENT RESOLUTIONS

RELATING TO—

- 101—Joint convention January 10, 1972 at one forty-five p.m., Governor Ray's state of the state message 2
- 102—Urge President of the United States request the government of the Soviet Union to permit free exercise of religion, end discrimination, and permit emigration24, 70
- 103—Committee to study the women's correctional system in Iowa..50, 757-777
- 104—That the General Assembly designate one day each session to meet with Iowa congressmen to discuss subjects of mutual concern196
- 105—Urge board of regents establish a college of criminal justice at the University of Northern Iowa 251
- 106—Urge crime commission to designate a portion of federal funds to the University of Northern Iowa for establishing a college of criminal justice..... 252
- 107—Committee to study tax structure as it relates to local taxing body expenditures, submit report273, 563
- 108—Department of social services urged to apply for subgrants available from Iowa crime commission for hiring of additional counselors and parole agents300, 791
- 109—Urge congress to settle west coast dock strike and provide permanent procedures for settlement of transportation disputes, etc. 300
- 110—Encourage Iowans to observe Arbor day, designated April 28, 1972, by planting a tree or shrub455, 603
- 111—That the federal government be directed to institute a study of present price-grading system for grain and oil seeds in the United States—establish a new base for determining market price ... 496, 1037
- 112—Extend congratulations to members and director of Fort Madison Aquinas High School band, invitation to participate in 1972 Olympic marching band tour and competition, etc.497, 562
- 113—That the comptroller issue a statement that the State of Iowa in no way endorses goods or services and endorsement was from an individual526, 603
- 114—Committee to study feasibility and need for providing railroad passenger service in Iowa, also service from Dubuque to Sioux City, submit report 562
- 115—Encourage public safety to conduct study of the usefulness and safety aspects of the life lite and feasibility of installation, etc.631, 980
- 116—Extend congratulations to the University of Iowa on the 125th anniversary of its founding 631
- 117—Commend the various organizations, committees, businesses and industry in improving the 54 mile area along the Missouri River 632
- 118—Committee to study abandonment of railroad rights-of-way, submit report701, 913
- 119—Committee to study salaries of elective and appointive state officials, submit report 774

- 120—That the channel catfish be recognized as the official state fish for Iowa854-855
- 121—Urge board of regents to investigate possibilities of establishing a college of criminal justice868, 964
- 122—Recommend purchase of disability income protection and life insurance protection for highway commission employees 900
- 123—Recommend purchase of disability income protection and life insurance protection for all state employees936, 1027
- 124—Committee to study joint, coordinated, or pooled law enforcement by political subdivisions, submit report 951
- 125—Urge executive council adopt the practice of paying highway commission employees every two weeks on Wednesday 992
- 126—Committee to study existing professional and occupational licensing boards, others that should be licensed, etc., submit report992, 1107
- 127—Committee to study property tax exemptions1028, 1221
- 128—Rejected claims be considered by Senate and House, approval..1062, 1281
- 129—General Assembly urges that the president of the organization of Iowa highway commission employees be allowed reasonable working time to carry out his duties and be given office facilities, etc..1073
- 130—Extend congratulations to Roland-Story girls basketball team.....1090
- 131—General Assembly urges allowing state employee organizations the use of state buildings and auditoriums when available1090, 1358
- 132—Division of Iowa into different federal reserve districts1113, 1266
- 133—Committee to study feasibility of the manufacture of grain alcohol motor fuel by Iowa industries, etc., submit report1114
- 134—Urge the calling of a conference on Iowa's development in the twenty-first century by the Governor1125
- 135—That the Governor arrange for a statewide comprehensive conference to be called the conference on Iowa in the twenty-first century (See SCR 130)1126
- 136—Committee to study the quality of life of Iowa's elderly citizens, etc., submit report1126-1127
- 137—Committee to study Iowa milk and milk product standards, submit report1246, 1395
- 138—Committee to study the rules and procedures of the General Assembly1270, 1365
- 139—Congratulate the Alta High School boys basketball team1295, 1358
- 140—Congratulate the Cedar Rapids Kennedy High School boys basketball team1295
- 141—Committee to study legislative regulation of consumer credit charges in Iowa, submit report1327
- 142—Commend WOI for providing excellent public service in broadcasting the proceedings of the General Assembly1446

HOUSE RESOLUTIONS

RELATING TO—

- 101—Interim expenses for the Chief Clerk of the House1326, 1358

SENATE CONCURRENT RESOLUTIONS

RELATING TO—

- 101—Compensation of switchboard operators6, 44
- 102—Urge President of the United States request the government of the Soviet Union to permit free exercise of religion, end discrimination, and permit emigrationSee HCR 102
- 104—Urge Congress to settle west coast dock strike, adopt legislation establishing permanent guidelines and procedures for settlement of transportation disputes, etc. 299
- 105—Committee to study structure of the Iowa supreme court, need for changes or for alternative appeals courts, submit report856, 1037
- 111—Adjournment Friday, March 10, 1972 at five p.m.964, 1096
- 112—Extend congratulations to the University of Iowa on the 125th anniversary of its founding 777
- 113—Commend the various organizations, committees, businesses and industry in improving the 54 mile area along the Missouri river964, 1281
- 114—That the executive council shall have published the names and dates of the men captured or missing in Vietnam and that flags on state buildings shall be flown at half mast upon the anniversary of those dates912-913
- 119—Expenses of legislators during interim, payment1224-1225, 1358
- 120—That the President of the Senate and Speaker of the House be presented with similar desks such as they are now using ..1225, 1358
- 121—Details of closing the 1972, second regular session of the Sixty-fourth General Assembly, interim staff and work, reconvening the 1973, 1st regular session of the Sixty-fifth General Assembly. .1225, 1359
- 122—Resolutions calling for interim studies not adopted in both houses be delivered to the President pro tempore and Speaker of the House and the legislative council determine priorities, etc..1226, 1359
- 123—Congratulate the Iowa State University wrestling team1100, 1328
- 125—Extend congratulations to Roland-Story girls basketball team1106
- 127—Request proper notice and time be given for states and persons affected by the occupational safety and health act of 1970 to comply with the rules and regulations1378
- 130—That the Governor arrange for a statewide comprehensive conference on Iowa's future1365
- 133—That a certificate of service be given each page in both the Senate and House commending them for their services1445
- 134—Adjournment, Friday, March 24, 1972 at eight fifteen p.m.1446

SUBJECT INDEX

ADC—**General**

Collection of support payments for welfare recipients, state pay share to counties. HF 1164, Camp.

ADMINISTRATIVE PROCEDURE—**General**

Provide required statutory guidelines for adoption of administrative rules by conservation commission, penalty. SF 1172, conservation and recreation.

ADOPTIONS—**(See Minors)****ADVERTISING—****General**

Regulation of advertising and selling courses of instruction. HF 499, Grassley, et al.; HF 1273, commerce. (Similar subject matter)
 Advertisement of "X" rated motion pictures, penalties. SF 1029, Hill.
 Prohibit advertisement of cigarettes in this state. HF 1077, Holden.
 Publications concerning the cure of venereal disease, repeal prohibition against. SF 1084, Potgeter.
 Beer advertising, retail permittee may. SF 1123, Walsh.
 Exempt advertisement and promotional materials, seed catalogs, and envelopes for materials from sales tax. HF 1160, Lawson.
 Regulate private trade, business, and correspondence schools, penalty. HF 1231, Kelly and Larson.

AERONAUTICS—**General**

Create a department of transportation, appropriation. SF 1040, transportation; HF 1068, transportation. S.
 Create a state transportation planning commission. HF 1173, Welden; HF 1256, transportation.

AGE—**General**

Age of majority (18 years). HF 1011, state government; SF 1009, Conklin. S.
 Identification cards for persons 60 years of age or older. HF 143, Stokes and Strand; SF 139, Sullivan and Van Gilst; HF 1058, Stokes, et al.; SF 1047, Van Gilst, et al. (Same subject matter)
 Age qualification of members of the General Assembly. HJR 1002, Hill, et al.
 Age qualification of the governor, lieutenant governor, and members of the General Assembly. HJR 1003, Ewell, et al.
 Age qualifications for elective public office. HF 1116, Kehe, et al.
 Commission on aging establish an advisory subcommittee to create and implement a plan providing for extending home health-homemakers services, etc. SF 1163, Riley and Van Gilst.
 Lower age qualifications for offices of president, vice president, U.S. senator, and representative to legal voting age. HJR 1008, Ewell and Gluba.

AGE OF MAJORITY—**General**

Age of majority (18 years). HF 1011, state government; SF 1009, Conklin. S.

AGRICULTURE—**General**

Vending machines, breaking and entering of. HF 1006, Doyle.
 Purchase of corn and soybeans, moisture content, penalties. HF 1034, Christensen.
 Define part-time work for child labor in agriculture as less than 20 hours per week. SF 1093, Gaudineer.
 Establish the use of enriched flour in bread, regulations. HF 1163, Egenes.
 Standards for diesel fuel. HF 1225, Priebe, et al.
 That the federal government be directed to institute a study of present price-grading system for grain and oil seeds in the U.S.—establish a new base for determining market price. HCR 111; H.J. 496, 1037 adopted; S.J. 799, 1058 adopted.
 Tax exemptions allowed on income of farmers and fruit growers cooperatives. SF 1176, Potgeter.
 Storage of agricultural products without receipts, single license for 2 or more warehouses if, bonded warehouses. HF 1272, commerce; SF 1196, commerce.
 Planning of a new state agriculture building, appropriation. HF 1278, agriculture.
Animals
 Branding of livestock, rules and regulations, fees and penalties. SF 1036, Anderson; HF 1181, agriculture. Similar.
 Prohibit administration of drugs to horses, penalties. HF 1125, Winkelman and Tleden.

Prohibit processors and distributors of beef or pork products from engaging in the production of cattle or hogs, penalties. SF 1108, Briles.
 Inspection and testing of swine brucellosis. HF 1270, agriculture; SF 1200, agriculture. Similar.

Farm

Casual farm auction sales, disposition of proceeds. HF 1067, Pellett.
 Notice of termination of farm tenancies. HF 1103, Logemann.

Feed

Violation of the Iowa commercial feed law of 1964 a misdemeanor, penalty. SF 1019, judiciary.
 Use of weed seed in commercial feed. HF 1062, Priebe.

Fertilizer

Establish minimum percentages of plant nutrients in mixed fertilizers. HF 1240, agriculture.

Grain

Purchase of corn and soybeans, moisture content penalties. HF 1034, Christensen.
 Exempt storage of grain from service tax. HF 1091, Winkelman, et al.; SF 1181, Graham, et al.

Inspection

Inspection services by department of agriculture, preparation of rules and regulations for, etc. SF 1170, agriculture.
 Inspection and testing of swine brucellosis. HF 1270, agriculture; SF 1200, agriculture. Similar.

Marketing

Create Iowa egg fund, promote marketing of eggs, excise tax for. SF 255, Coleman; HF 350, Rex; HF 1285, agriculture. (Similar subject matter)

Meat and Poultry

Packaged meat and poultry must have date of packaging stamped on label, penalties. HF 1040, Kinley.

Secretary of

Create Iowa egg fund, promote marketing of eggs, excise tax for. SF 255, Coleman; HF 350, Rex; HF 1285, agriculture. (Similar subject matter)
 Branding of livestock, rules and regulations fees and penalties. SF 1036, Anderson; HF 1181, agriculture. Similar.

Placing of permit numbers on containers of agricultural seeds. HF 1078, Pierson.

Prohibit administration of drugs to horses, penalties. HF 1125, Winkelman and Tieden.

Inspection services by department of agriculture, preparation of rules and regulations for, etc. SF 1170, agriculture.

Seed

Use of weed seed in commercial feed. HF 1062, Priebe.
 Placing of permit numbers on containers of agricultural seeds. HF 1078, Pierson.

AID TO DISABLED—

General

Counties not financially responsible for aid to the disabled program. SF 1082, social services.

AIR POLLUTION—

(See Pollution)

AIRCRAFT—

(See Aeronautics)

ALCOHOLIC BEVERAGES—

(Also see Liquor Control Commission)

General

Requests for withdrawal of body substances under the implied consent law may be oral unless requested written. HF 639, Schmeiser; HF 1274, law enforcement. (Similar subject matter)

Special liquor control license for sale of wine only for commercial establishments, principal business is sale of food. HF 1017, Rodgers.

Facilities required of class "B" beer permit holders, etc. SF 1034, Potgeter.

Eliminate state-owned liquor stores. HF 1050, Blouin, et al.

Private sale, control, and distribution of wine, penalties. HF 1056, Trowbridge, et al.; SF 1073, Walsh, et al.; HF 1276, ways and means, very similar.

Provide pamphlet on laws re alcoholic beverages, distribute to all high schools. HF 1066, Rodgers.

Provide course for persons convicted of operating a motor vehicle while under the influence of an alcoholic beverage, suspension of drivers licenses, fees, penalties. HF 1082, Lipsky and Christensen.

Cities and towns must allocate at least 20% of the funds distributed to them from state liquor store sales to treatment and rehabilitation of alcoholics and drug abusers. SF 1061, Riley; HF 1180, Knoke. Similar.

Hours during which alcoholic liquors and beer may be sold. HF 1102, Gluba, et al.; SF 1078, Walsh. Similar subject matter. (HF 345, HF 685 and SF 169 contain similar subsections)

Exempt class "B" beer permittees selling beer for consumption off premises only from requirement of dram shop insurance or bond. HF 1126, Blouin.

Prohibit possession and consumption of alcoholic liquors or beer on any public or private school property. HF 1127, Logemann.

Corrective amendments to the Iowa beer and liquor control act—fees, permits, licenses, locations, etc. HF 1133, state government.

Beer advertising, retail permittee may. SF 1123, Walsh.

Operating a motor vehicle while intoxicated, penalties. SF 1114, Riley. (SF 178 and HF 241 contain similar subsection; HF 1082 similar subject matter)

Setting of minimum prices for retail sales of beer. HF 1149, Blouin.

Provide a standing appropriation to commission on alcoholism from liquor profits. HF 1208, Uban, et al.

ALCOHOLISM—

General

Provide a standing appropriation to commission on alcoholism from liquor profits. HF 1208, Uban, et al.

Provide that 10% of the gross sales of liquor stores be distributed to cities and towns—1% to counties. HF 1241, Gluba, et al.

Provide for a comprehensive program for treatment, education, and rehabilitation of alcoholics. SF 1173, Doderer.

Use and method of allocating funds appropriated to commission on alcoholism, appropriation. SF 1189, appropriations.

AMBULANCES—

(See Motor Vehicles, sub.-ref. Ambulances)

AMERICAN REVOLUTION BICENTENNIAL COMMISSION—

General

Create an Iowa world exposition authority to plan and establish an Iowa world food exposition, etc. HF 1156, Iowa development; SF 1143, Iowa development. Similar.

AMUSEMENT PARKS AND/OR RIDES

General

Amusement rides, etc., safety inspection and regulation of. HF 1001, human and industrial relations.

ANIMALS—

General

Branding of livestock, rules and regulations, fees and penalties. SF 1036, Anderson; HF 1181, agriculture. Similar.

Prohibit administration of drugs to horses, penalties. HF 1125, Winkelman and Tieden.

Prohibit processors and distributors of beef or pork products from engaging in the production of cattle or hogs, penalties. SF 1108, Briles.

Committee to study method of protecting the public from disease, fraud, etc., re pet animals, submit report. SCR 131; S.J. 1007, 1010.

Diseases—

Inspection and testing of swine brucellosis. HF 1270, agriculture; SF 1200, agriculture. Similar.

Domesticated Other Than Farm

Taxing and licensing of dogs by counties, repeal sections relating to. SF 1118, Potgeter and Walsh.

ANNEXATION—

(Also see Zoning)

General

Allow cities and towns to extend agreements to refrain from annexing specifically described territory. SF 1198, ways and means.

ANTITRUST SUITS—

General

Eliminate payment of a portion of the fines in antitrust suits to county attorneys and the attorney general. HF 1030, Blouin; SF 1023, judiciary; HF 1037, judiciary. S. (HF 1030 similar)

APPEALS—

General

Condemnation appeals, party appealing shall have the burden of proof. HF 1198, judiciary.

APPROPRIATIONS—

General

Create a department of transportation, appropriation. SF 1040, transportation; HF 1068, transportation. S.

- Fees collected by commerce commission deposited to general fund. HF 1052, commerce; SF 1207, commerce.
- Issue an appraisal manual to all county and city assessors by department of revenue. HF 1099, ways and means; SF 1075, ways and means. S.
- Annual reversions of administrative appropriations. HF 1100, Camp and Kehe.
- Additional benefits to persons eligible to receive old-age and survivors' insurance, appropriation. SF 1130, Van Gilst.
- Conversion of Terrace Hill for use as governor's mansion, appropriation. HF 1196, Dunton, et al.
- Establish a rural physicians associate program, scholarships, appropriation. HF 1234, Winkelman.
- Create interim study committee on county statutes, appropriation. SJR 1004, Walsh.
- Establish an office of citizens' aide, penalties, appropriation. SF 288, Potgeter and Walsh; HF 1122, Winkelman, et al.; HF 1291, appropriations.
- (Same subject matter)
- Increase allocation for construction of state institutional and park roads. HF 1292, appropriations.
- Construction of a building at law-enforcement academy, appropriation. SF 1204, appropriation.
- Appropriation to the Iowa World Exposition authority. HF 1294, appropriations.
- Implementation and administering state building code, appropriation for. HF 1299, appropriations.
- Occupational safety and health, penalties, appropriation. SF 1218, human and industrial relations.
- Agriculture**
- Planning of a new state agriculture building, appropriation. HF 1278, agriculture.
- Alcoholism**
- Use and method of allocating funds appropriated to commission on alcoholism, appropriation. SF 1189, appropriations.
- Capitol Planning Commission**
- Study need, financing and planning for construction of a state office building, appropriation. HF 1295, appropriations.
- Claims**
- Settlement of claims, appropriation. HF 1298, appropriations.
- Commerce Commission**
- Increase salary of the director of the traveling library and members of commerce commission, 1972-73. SF 1205, appropriations.
- Crime Commission**
- Appropriate funds to the crime commission for matching federal funds. SF 1182, appropriations.
- Educational Radio and Television**
- Appropriation to educational radio and television facility board for capital improvements. HF 1247, appropriations.
- Executive Council**
- Allow executive council to purchase the GMC building, appropriation. HF 1279, appropriations.
- Geological Survey**
- Nonreversion of \$21,000 appropriated to geological survey. HF 1296, appropriations; SF 1213, appropriations.
- Governor**
- Governor's youth program, appropriation. HF 1217, Blouin.
- Highway Commission**
- Designated capital improvement programs, highway commission, appropriation. SF 1201, appropriations; HF 1293, appropriations.
- Libraries**
- Increase salary of the director of the traveling library and members of commerce commission, 1972-73. SF 1205, appropriations.
- Liquor Control Commission**
- Provide a second liquor store in Dubuque, appropriation. HF 1131, Ellsworth; SF 1167, Walsh.
- Extend for an additional year funds appropriated for implementing an inventory and accounting system by liquor control commission. SF 1181, appropriations.
- Medical and Other Professions**
- Medical education and community orientation program, board of regents, appropriation. HF 1281, appropriations.
- Funding the physicians' assistants program, appropriation. HF 1282, appropriations.
- Merit System**
- Funding merit system pay plan, appropriation. HF 1214, appropriations.
- Public Defense**
- Public defense, appropriation for various capital improvements. SF 1203, appropriations.

Public Instruction

Appropriate to public instruction, participation in federal breakfast, lunch and minimal equipment programs. SF 1091, appropriations.

Public Safety

Salary increases for highway patrol officers, appropriate from primary road fund. HF 1092, Doyle, et al.

Regents, Board of

Purchase of the Midwestern College campus site, etc., appropriation. SF 1074, Balloun.

Appropriation to board of regents, University of Northern Iowa, reallocation, etc. SF 1085, Messerly and Conklin; HF 1130, Hansen, et al.; HF 1280, appropriations.

Medical education and community orientation program, board of regents, appropriation. HF 1281, appropriations.

Schools

Appropriation to area I expansion of the Dubuque attendance center. HF 1132, Ellsworth, et al.; SF 1166, Walsh, et al.; HF 1111, Blouin, similar subject matter.

Reimbursement to local school districts, county school systems, joint county systems, etc., for auxiliary services to nonpublic school students. SF 1199, schools; SF 1214, appropriations; (SF 1214 has appropriation) very similar.

Appropriate to public instruction, participation in federal breakfast, lunch and minimal equipment programs. SF 1091, appropriations.

Secretary of State

Appropriation to secretary of state to defray expenses regarding election laws. HF 1213, appropriations.

Social Services

Use of fees and funds received by soldiers home. HF 1016, Camp and Lipsky. Juvenile court probation services, department of social services contribute, counties participate, etc., appropriation. SF 1039, Messerly and Conklin.

Computation of old age assistance grants, appropriation. SF 42, Conklin; SF 1141, Riley and Van Gilst. Similar.

Provide services to senior citizens, appropriation. SF 1165, Walsh.

Veterans

Vietnam veterans' service compensation fund, bonds. HF 352, Wyckoff and Ellsworth; SF 1106, Riley; SF 1202, ways and means; HF 1300, appropriations. Similar.

ARCHEOLOGY—**General**

Publication of educational and scientific reports by state archaeologist, authority to. SF 1188, appropriations.

ARCHITECTS—**General**

Alterations and repairs to capitol building, capitol planning commission and special committee. SF 1017, Messerly and Conklin; HF 1043, Alt; HF 1063, Lipsky, et al. (Same subject matter)

Construction of private and public buildings and facilities, accessible and functional for handicapped. HF 1121, Blouin.

Establish office of state architect within department of general services. HF 1124, Alt.

AREA VOCATIONAL SCHOOLS—

(See Schools, sub-ref. Area—Area Vocational)

ARMED FORCES—

(See Military and/or Public Defense)

ASSESSMENTS—**General**

Notification, by county assessors, not later than March 15th, valuation of property. HF 452, Schmeiser, et al.; (Similar subject matter as HF 1120, county government; SF 1117, county government.)

Establish a moratorium on increases in assessment of real property, except for equalization between counties, etc. HF 1090, Winkelman.

Issue an appraisal manual to all county and city assessors by department of revenue. HF 1099, ways and means; SF 1075, ways and means. S.

Tax assessment procedures. SF 1096, ways and means.

Apportionment of property valuation of certain electric power generating plants. HF 1148, Kehe and Fischer of Grundy; HF 1277, ways and means. Similar subject matter.

Recording of documents for each special assessment project, etc., for cities and towns. HF 1178, Rex.

ASSESSORS—**General**

Notification, by county assessors, not later than March 15th, valuation of property. HF 452, Schmeiser, et al.; (Similar subject matter as HF 1120, county government; SF 1117, county government.)

Issue an appraisal manual to all county and city assessors by department of revenue. HF 1099, ways and means; SF 1075, ways and means. S. Tax assessment procedures. SF 1096, ways and means.

ATTORNEY GENERAL—**General**

Eliminate payment of a portion of the fines in antitrust suits to county attorneys and the attorney general. HF 1030, Blouin; SF 1028, judiciary; HF 1037, judiciary. S. (HF 1030 similar).
Provide pamphlet on laws re alcoholic beverages, distribute to all high schools. HF 1066, Rodgers.
State reciprocity in enforcement of support decrees, etc. HF 1073, Schwieger; HF 1287, judiciary. Similar.

ATTORNEYS—**General**

Fees for legal assistance employed by executive council and claims against the state. SF 1145, Hill and Potgeter. Increase salaries of county attorneys. HF 1209, Knoke.

AUCTIONS—**General**

Casual farm auction sales, disposition of proceeds. HF 1067, Pellett.
Definition of casual sales. HF 1083, Scott.

AUDITOR OF STATE—**General**

Extend for an additional year funds appropriated for implementing an inventory and accounting system by liquor control commission. SF 1181, appropriations.

AUTOMOBILES—

(See Motor Vehicles and Liability)

AUTOPSY—**General**

Postmortem examinations. HF 1200, social services.

AWARDS—**General**

Eminent domain, condemnation, notices of appeal, lienholders, award of damages, etc. HF 229, Dunton; SF 1038, Van Gilst.

BALLOTS—

(See Elections)

BANKING—**General**

Bank offices, discontinue if more than one bank is established. HF 100, Sorg, et al.; SF 341, Griffin; SF 1008, Brownlee, et al.; HF 1112, Fischer of Grundy. (Similar subject matter)
Bank holding companies, bank offices, etc., re loans, fees paid, etc. SF 1008, Brownlee, et al.; HF 1112, Fischer of Grundy; HF 100, Sorg, et al.; SF 341, Griffin. (Similar subject matter)
Delivery to a co-owner of the contents of a safety deposit box after having been reported to department of revenue. HF 1098, Ellsworth; HF 1190 Blouin. (Same)
Inducements to open or add to savings accounts, penalties. HF 1109, Fischer of Grundy.
Eliminate time limits and dollar amount limits on installment loans by banks. HF 1143, Freeman.
Taxation of financial institutions, deduction of franchise tax shall not be allowed. HF 1246, ways and means.
Method of paying state employees, bank. SF 1206, state government.
Division of Iowa into different federal reserve districts. HCR 132; H.J. 1113, 1266 adopted; S.J. 1028, 1116 adopted.

BARBERS AND BARBERING—**General**

Regulation of advertising and selling courses of instruction. HF 499, Grassley, et al.; HF 1273, commerce. (Similar subject matter)

BEER—

(See Alcoholic Beverages)

BENEFITS—**General**

State employees transferring from a nonmerit system job to merit system job entitled to state employee benefits. SF 1033, Van Drie.
Increase per diem pay for appointive members of advisory investment board of IPERS, also change retirement dates and benefits. HF 1046, Anderson; SF 1067, Griffin; HF 1093, Dunton, et al. (Same subject matter)

Provide financial benefits for education of children of persons classified as prisoners of war or missing in action in Viet Nam. SF 1136, Rabedeaux.
 Increase benefits for unemployment compensation. HF 1248, Gluba, et al.

BEVERAGES—**General**

Vending machines, breaking and entering of. HF 1006, Doyle.

BILLS—**General**

Allow any citizen of Iowa to submit a proposed bill to the legislative service bureau. SF 1177, Riley.

BOARD OF REGENTS—

(See Regents, Board of)

BOARD OF REVIEW—

(See Assessments and/or Property)

BOATS—

(See Watercraft)

BONDS—**General**

Vietnam veterans' service compensation fund, bonds. HF 352, Wyckoff and Ellsworth; SF 1106, Riley; SF 1202, ways and means; HF 1300, appropriations. Similar.

Petitioning for a rural water district, bond required. SF 1002, county government; HF 1012, county government.

Cigarette retailers, eliminate bonding of. HF 1027, Uban, et al.

Petitioning for a private sanitary district, bond required. SF 1031, county government; HF 1036, county government.

Permit creation of community improvement districts, issuance of bonds and levy taxes, penalties, etc. SF 1062, Griffin; HF 1289, county government. Similar.

Establish a highway construction fund, construction and reconstruction of state and interstate controlled-access highways, issuance of bonds, etc. SF 1146, Shawver.

Authorize cities and towns to issue revenue bonds in connection with pollution control. SF 1158, Iowa development; HF 1239, Lawson.

Cities and Towns

(See Cities and Towns, sub-ref. Bonds)

Schools

(See Schools, sub-ref. Bonds)

BOUNDARIES—**General**

Legalize establishment, organization, formation, and changes in the boundaries of merged area school systems. SF 529, Walsh; HF 1101, Grassley. Similar.

BOUNTIES—

(See Animals, sub-ref. General)

BOXING—

(See Sports)

BRANDING—

(See Animals, sub-ref. Farm and/or General)

BRUCELLOSIS—

(See Animals, sub-ref. Diseases)

BUDGETS—**General**

Change local budget certification date of school districts. SF 1001, Riley; HF 1045, Lipsky.

Change fiscal year of cities and towns, counties, and other political subdivisions. SF 1125, ways and means; HF 1175, ways and means. (HF 733 and SF 575 similar subject matter)

BUILDINGS—**General**

Use of state buildings by state employee organizations. HF 1061, Nystrom.

Construction of private and public buildings and facilities, accessible and functional for handicapped. HF 1121, Blouin.

Establish office of state architect within department of general services. HF 1124, Alt.

Exempt sales by school districts of structures erected by students from property value limitations, sec. 297.22 of Code. HF 1159, Ellsworth; HF 1286, ways and means.

- Planning of a new state agriculture building, appropriation. HF 1278, agriculture.
- Allow executive council to purchase the GMC building, appropriation. HF 1279, appropriations.
- Construction of a building at law-enforcement academy, appropriation. SF 1204, appropriation.
- Study need, financing and planning for construction of a state office building, appropriation. HF 1295, appropriations.
- Implementation and administering state building code, appropriation for. HF 1299, appropriations.
- General Assembly urges allowing state employee organizations the use of state buildings and auditoriums when available. HCR 131; H.J. 1090, 1358 adopted; S.J. 1131-1132 failed, 1134.

BUILDINGS AND GROUNDS, STATE—**General**

- Use of state buildings by state employee organizations. HF 1061, Nystrom.
- Planning of a new state agriculture building, appropriation. HF 1278, agriculture.

BUSES—

(See Motor Vehicles, sub-ref. Buses and/or Schools, sub-ref. Buses and/or Transportation)

CAPITAL IMPROVEMENTS—**General**

- Appropriation to educational radio and television facility board for capital improvements. HF 1247, appropriations.
- Designated capital improvement programs, highway commission, appropriation. SF 1201, appropriations; HF 1293, appropriations.
- Public defense, appropriation for various capital improvements. SF 1203, appropriations.

CAPITOL IMPROVEMENTS—**General**

- Alterations and repairs to capitol building, capitol planning commission and special committee. SF 1017, Messerly and Conklin; HF 1043, Alt; HF 1063, Lipsky, et al. (Same subject matter)

CAPITOL PLANNING COMMISSION—**General**

- Alterations and repairs to capitol building, capitol planning commission and special committee. SF 1017, Messerly and Conklin; HF 1043, Alt; HF 1063, Lipsky, et al. (Same subject matter)
- Establish office of state architect within department of general services. HF 1124, Alt.
- Study need, financing and planning for construction of a state office building, appropriation. HF 1295, appropriations.

CARRIERS—

(See Common Carriers)

CENTRAL COMMITTEES—**General**

- Strike requirement state central committee of a political party consist of one man and one woman from each congressional district. SF 1121, Milligan and Gaudineer.
- Authorize a presidential preferential primary election in Iowa. HF 1186, Freeman and Blouin.

CERTIFICATES—**General**

- Issuance of new birth certificates for persons born outside the U.S. and adopted in Iowa. SF 354, DeKoster and Potgeter; HF 1039, Clark.
- Uniform minimum standards for plumbing, licensing, supervision and inspection, penalties. HF 1085, Nystrom.
- Annual certificate of authority of insurance companies, extend review time. HF 1128, commerce.

CHARITABLE INSTITUTIONS AND ORGANIZATIONS—**General**

- Property now exempt from taxation if used for commercial purposes to be taxed. HF 678, Cochran; HF 1106, Scott. (Similar)

CHIEF CLERK—**General**

- Interim expenses for the Chief Clerk of the House. HR 101; H.J. 1326, 1358, adopted.

CHILDREN—

(See Minors)

CIGARETTES—

(See Tobacco)

CITIES AND TOWNS—**General**

- Bank offices, discontinue if more than one bank is established. HF 100, Sorg, et al.; SF 341, Griffin; SF 1008, Brownlee, et al.; HF 1112, Fischer of Grundy. (Similar subject matter)
- Qualifications for city employees under civil service, conscientious objectors. HF 273, Bray, et al.; HF 1115, Small. (Same subject matter)
- State or its political subdivisions not liable regarding use of snowmobiles in road ditches, etc. HF 1055, Scott, et al.
- Emergency lighting system for use during a power failure, certain public places. HF 1064, Scott.
- Prohibit enactment of any state or local law which imposes or increases a tax retroactively. SJR 1002, Anderson, et al.
- Change date of school board elections to coincide with municipal elections, etc. HF 1080, Kreamer; SF 1063, Conklin.
- Cities and towns must allocate at least 20% of the funds distributed to them from state liquor store sales to treatment and rehabilitation of alcoholics and drug abusers. SF 1061, Riley; HF 1180, Knoke. Similar.
- Permit creation of community improvement districts, issuance of bonds and levy taxes, penalties, etc. SF 1062, Griffin; HF 1239, county government. Similar.
- Use of funds received from parking meters. SF 1071, cities and towns.
- Age qualifications for elective public office. HF 1116, Kehe, et al.
- Regulation of railroads in cities and towns, penalties. SF 1097, Riley and Robinson. (SF 285 similar subject matter)
- Establish collection stations for recyclable materials. HF 1136, Kehe.
- Provide for police reserve units in cities with populations over 5,000. SF 1107, Griffin; HF 1179, Knoke.
- Municipal tort liability—includes employees, officers, school board members, etc., notices. SF 1133, DeKoster.
- Change fiscal year of cities and towns, counties, and other political subdivisions. SF 1125, ways and means; HF 1175, ways and means. (HF 733 and SF 575 similar subject matter)
- Recording of documents for each special assessment project, etc., for cities and towns. HF 1178, Rex.
- Establishment, by cities and towns, of sanitary disposal projects, authorizing a tax, violations. HF 1183, Radl.
- Exempt from tax on sales and services; those furnished, or performed by the state or any of its political subdivisions. HF 1204, Andersen.
- Authorize cities and towns to issue revenue bonds in connection with pollution control. SF 1158, Iowa development; HF 1239, Lawson.
- City or town may support medical facilities. HF 1222, Winkelman.
- Provide that 10% of the gross sales of liquor stores be distributed to cities and towns—1% to counties. HF 1241, Gluba, et al.
- Qualifications of police and fire chiefs. SF 1174, Doderer.
- All state purchases of goods and services and all governmental subdivisions, including schools, involving state or federal funds subject to competitive bidding with exceptions. HF 1251, state government.
- Distribution of motor vehicle registration fees by county treasurers. HF 1255, Holden.
- Provide for assessment of penalties and interest on delinquent payment of the tax equivalent on industrial projects, cities and towns. SF 1184, ways and means.
- Allow cities and towns to extend agreements to refrain from annexing specifically described territory. SF 1198, ways and means.
- Bonds**
- Urban renewal projects and bonds. HF 1257, ways and means; SF 1186, ways and means.
- Councils**
- Election laws penalties. HF 1147, state government.
- Urban renewal projects and bonds. HF 1257, ways and means; SF 1186, ways and means.
- Ordinances**
- Permit cities and towns, by ordinance, to require platting. SF 1161, Riley.
- Streets**
- Raise allocation from road use tax fund to street construction fund of cities and towns, lower others. HF 1238, Gluba.
- CITIZENS' AIDE—**
- General**
- Establish an office of citizens' aide, penalties, appropriation. SF 288, Potgeter and Walsh; HF 1122, Winkelman, et al.; HF 1291, appropriations. (Same subject matter)
- CIVIL ACTIONS—**
- General**
- Exceptions to time limits during which certain civil actions must be brought. SF 1057, Van Drie; HF 1086, Egenes.

Civil liability for criminal acts, restitution to victims of crimes. HF 1201, Strothman.
 Person found guilty of a crime can not deny act in a civil action for damages. HF 1202, Strothman.
 Provide that motor vehicle accident reports are inadmissible in evidence. HF 1205, Kreamer.

CIVIL RIGHTS—

General

Persons disqualified from being electors. HJR 1005, Blouin.
 Prohibit wage discrimination on the basis of sex. HF 1142, Shaw, et al.
 Civil rights of physically and mentally handicapped persons. SF 1148, human and industrial relations.
 Prohibit discrimination by licensing associations. SF 1208, judiciary.

CIVIL SERVICE—

General

Qualifications for city employees under civil service, conscientious objectors. HF 273, Bray, et al.; HF 1115, Small. (Same subject matter)
 Qualifications of police and fire chiefs. SF 1174, Doderer.

CLAIMS—

General

Liens on real estate owned by old age assistance recipients. HF 80, Christensen; SF 1131, Riley and Van Gilst.
 Free copy of an individual's military record furnished for perfecting any claim. SF 1005, county government.
 Change classification of claims, for public assistance, against estates, mentally ill. SF 1088, judiciary.
 State responsible for damage caused by negligent or wrongful acts of its wards under age 18. HF 1158, Husak.
 Fees for legal assistance employed by executive council and claims against the state. SF 1145, Hill and Potgeter.
 Settlement of claims, appropriation. HF 1298, appropriations.
 Rejected claims be considered by Senate and House, approval. HCR 128; H.J. 1062, 1281 adopted; S.J. 1044, 1121 adopted.

CODE—CODE EDITOR—

General

Alterations and repairs to capitol building, capitol planning commission and special committee. SF 1017, Messerly and Conklin; HF 1043, Alt; HF 1063, Lipsky, et al. (Same subject matter)
 Free copy of Code to juvenile court referee. HF 1041, Kelly.
 Provide each judge in Iowa with an additional copy of the Code and other documents. SF 1051, Riley.
 Correct erroneous, inconsistent, and obsolete sections of the Code, including some penalty sections. SF 1132, judiciary.
 Correct erroneous and obsolete references in the Code. HF 1203, judiciary.
 Implementation and administering state building code, appropriation for. HF 1299, appropriations.

COLLECTIONS—

General

Provide that certain actions by collection agencies are unlawful, penalties. HF 1182, Stromer.

COLLECTIVE BARGAINING—

(See Labor and/or Employment and/or State Government, sub-ref. Employees)

COLLEGES—UNIVERSITIES

General

Student activity fees, universities, require list of purposes for. SF 1048, Messerly.
 Purchase of the midwestern college campus site, etc., appropriation. SF 1074, Balloun.
 Urge board of regents establish a college of criminal justice at the University of Northern Iowa. HCR 105; H.J. 251.
 Urge crime commission to designate a portion of federal funds to the University of Northern Iowa for establishing a college of criminal justice. HCR 106; H.J. 252.
 Attendance center for an area vocational school shall be located in a county having a city of 50,000 or more population. HF 1137, Schroeder and Knoke.
 Require board of regents to itemize student fees, permit student to elect which fees he will pay regarding services, etc. HF 1138, Schroeder.
 Permit students, after 1 year in residence at a state university, to take as much as 3 quarters of work at any other state university, same tuition and credits, etc. SF 1120, Conklin.
 Provide financial benefits for education of children of persons classified as prisoners of war or missing in action in Viet Nam. SF 1136, Rabe-deaux.

- Tuition grants for veterans of Vietnam conflict. HF 1185, Freeman.
 Extend congratulations to the University of Iowa on the 125th anniversary of its founding. SCR 112; S.J. 506, 527 adopted; H.J. 777 adopted.
 Extend congratulations to the University of Iowa on the 125th anniversary of its founding. HCR 116 H.J. 631.
 Urge board of regents to investigate possibilities of establishing a college of criminal justice. HCR 121; H.J. 868, 964 adopted; S.J. 714, 1119 adopted.

COMMERCE—**General**

- Bank offices, discontinue if more than one bank is established. HF 100, Sorg, et al.; SF 341, Griffin; SF 1008, Brownlee, et al.; HF 1112, Fischer of Grundy. (Similar subject matter)
 Eminent domain, condemnation, notices of appeal, lienholders, award of damages, etc. HF 229, Dunton; SF 1038, Van Gilst.
 Regulation of advertising and selling courses of instruction. HF 499, Grassley, et al.; HF 1273, commerce. (Similar subject matter)
 Consumer contacts, etc., must be marked "consumer instrument". HF 635, Taylor, et al.; SF 1140, Gross.
 Voting by absentee ballots by members of credit unions. HF 1023, Bennett.
 Cigarette retailers, eliminate bonding of. HF 1027, Uban, et al.
 Sale of mobile homes on Sundays. HF 1028, Sorg and Tieden; SF 1049, Riley and Balloun.
 Lending and investing powers of savings and loan associations, mobile homes, etc. HF 1047, Alt.
 Self-service filling stations, authorization, regulation, and inspection of. HF 1059, Schroeder, et al.
 Delivery to a co-owner of the contents of a safety deposit box after having been reported to department of revenue. HF 1098, Ellsworth; HF 1190, Blouin. (Same)
 Bank holding companies, bank offices, etc., regarding loans, fees paid, etc. SF 1008, Brownlee, et al.; HF 1112, Fischer of Grundy; HF 100, Sorg, et al.; SF 341, Griffin. (Similar subject matter)
 Unfair trade practices in insurance, penalties. HF 1141, Ellsworth, et al.; SF 1099, Griffin.
 Taxation of income from interstate commerce, exemptions. SF 1103, Curran, et al.; HF 1166, Lawson, et al.
 Regulation of premium rates for credit life and credit accident and health insurance. HF 1151, Ellsworth; SF 1157, Potgeter; (HF 676 similar subject matter).
 Business corporations, use of similar names, signatures, meetings, mergers, etc. HF 1170, Kelly; SF 1191, judiciary.
 Powers of the commissioner of insurance. HF 1211, Freeman.
 Either county mutual insurance associations or their agents send required notice to policyholders before premiums due. HF 1216, Hansen.
 Abandoned railroad right-of-way, revert to state. HF 1237, Small. (HF 626, HF 1168, HF 1177, HF 1189, and HF 1215 all refer to abandoned railroad right-of-way)

COMMISSION—

- Rate regulation of public utilities, public hearings, etc. SF 1011, Glenn; HF 1110, Gluba; SF 1080, Neu; SF 1098, Anderson. (Same and similar subject matter)
 Rate of interest on public utility refunds to customers. SF 1013, commerce; HF 1053, commerce. S.
 Rural water districts not subject to regulation by commerce commission. SF 1021, Neu; HF 1084, agriculture.
 Regulation of liquid transport carriers. HF 1033, commerce.
 Fees collected by commerce commission deposited to general fund. HF 1052, commerce; SF 1207, commerce.
 Registration of a motor carrier's interstate transportation service, penalized if not registered with commerce commission. HF 1087, commerce.
 Restrict application of the Iowa insurance guaranty association act to nonlife companies and reciprocal or interinsurance exchanges, annual or special meetings, etc. HF 1089, Fischer of Grundy; SF 1086, Griffin.
 Insurance companies insuring against loss from liability, motor vehicle accidents, must offer additional first party benefits, etc. HF 1094, Kelly.
 Annual certificate of authority of insurance companies, extend review time. HF 1128, commerce.
 Abandoned railroad right-of-way, state option to buy. HF 1168, Lawson.
 Abandoned railroad right-of-way, revert to former owner. HF 1177, Scott.
 Railroads must file annually with commerce commission intention to abandon railroad right-of-way. HF 1189, Schwieger.
 Authorize shuttle carrier service without a certificate of public convenience and necessity. SF 1152, Van Drie; HF 1230, Egenes.
 Transfer of authority and responsibility regarding certain motor vehicles as to weight, permits, inspection, etc., from highway commission and commerce commission to public safety. SF 1175, Kennedy and Gaudineer.
 Storage of agricultural products without receipts, single license for 2 or more warehouses if, bonded warehouses. HF 1272, commerce; SF 1196, commerce.

Increase salary of the director of the traveling library and members of commerce commission, 1972-73. SF 1203, appropriations.

COMMISSIONERS—

Insurance

Restrict application of the Iowa insurance guaranty association act to nonlife companies and reciprocal or interinsurance exchanges, annual or special meetings, etc. HF 1089, Fischer of Grundy; SF 1086, Griffin.
 Licensing of insurance consultants, penalties. SF 1064, Kennedy.
 Annual report of insurance commissioner, change date for. HF 1117, commerce.
 Unfair trade practices in insurance, penalties. HF 1141, Ellsworth, et al.; SF 1099, Griffin.
 Regulation of premium rates for credit life and credit accident and health insurance. HF 1151, Ellsworth; SF 1157, Potgeter; (HF 876 similar subject matter)
 Registration requirements, dealers and salesman, securities, etc., cease and desist orders, public information, penalties. HF 1194, Freeman, et al.
 Powers of the commissioner of insurance. HF 1211, Freeman.

Labor

Amusement rides, etc., safety inspection and regulation of. HF 1001, human and industrial relations.

Public Health

Uniform minimum standards for plumbing, licensing, supervision and inspection, penalties. HF 1085, Nystrom.
 Establishment, by cities and towns, of sanitary disposal projects, authorizing a tax, violations. HF 1183, Radl.
 Migratory labor camps, requirements, etc. HF 1221, Gluba.
 Establish a state county liaison board re county homes. SF 1190, county government.

COMMON CARRIERS—

General

Registration of a motor carrier's interstate transportation service, penalized if not registered with commerce commission. HF 1087, commerce.
 Motor vehicle registration reciprocity. SF 1147, Anderson.

COMMUNICATIONS—

(Also see Schools, sub-ref. Radio and TV)

General

Confidential communications and the press. HF 1118, Kelly.
 Conversion of WOI-TV for use of the educational radio and television facility board. HF 1146, Mendenhall, et al.; SF 1113, Riley, et al.
 Allow telephone and telegraph companies to establish separate scales of rates and charges for persons 65 or older and handicapped—qualifications. SF 1112, Riley.
 Committee to study state-owned communication facilities, submit report. SCR 110; S.J. 478, 491.
 Appropriation to educational radio and television facility board for capital improvements. HF 1247, appropriations.
 Establish a board of electronic service examiners, etc. SF 1187, Van Drie.
 Commend WOI for providing excellent public service in broadcasting the proceedings of the General Assembly. HCR 142; H.J. 1446.

COMMUNITY IMPROVEMENT DISTRICTS—

General

Permit creation of community improvement districts, issuance of bonds and levy taxes, penalties, etc. SF 1062, Griffin; HF 1289, county government. Similar.

COMPENSATION—

General

Vietnam veterans' service compensation fund, bonds. HF 352, Wyckoff and Ellsworth; SF 1106, Riley; SF 1202, ways and means; HF 1300, appropriations. Similar.
 Maximum amount of mileage compensation paid county supervisors. HF 474, Dunton; HF 1129, county government. (Similar subject matter)
 Establish board of optometry, restructure operations, etc. of present board. HF 524, Freeman, et al.; SF 1154, Arbuckle, et al. Similar.
 Compensation of switchboard operators, SCR 101—S.J. 10 adopted; H.J. 6, 44 adopted.
 Compensation of school district treasurers. SF 1053, Lamborn.
 Compensation for election judges in school elections. SF 1054, Lamborn.
 Compensation for motor vehicle accident victims, no fault. SF 1068, Griffin, et al.
 Compensation of members of the General Assembly, vacancies. SF 1111, judiciary.

COMPTROLLER OF STATE—**General**

- Create Iowa egg fund, promote marketing of eggs, excise tax for. SF 255, Coleman; HF 350, Rex; HF 1285, agriculture. (Similar subject matter)
- Vietnam veterans' service compensation fund, bonds. HF 352, Wyckoff and Ellsworth; SF 1106, Riley; SF 1202, ways and means; HF 1300, appropriations. Similar.
- Use of fees and funds received by soldiers home. HF 1016, Camp and Lipsky. State participation in group life insurance programs for state employees. SF 1138, Van Drie; HF 1188, Nystrom. (Very similar.)
- Provide a standing appropriation to commission on alcoholism from liquor profits. HF 1208, Uban, et al.
- Funding merit system pay plan, appropriation. HF 1214, appropriations.
- That the comptroller issue a statement that the State of Iowa in no way endorses goods or services and endorsement was from an individual. HCR 113; H.J. 526, 603 adopted; S.J. 489, 491.
- Establish a board of electronic service examiners, etc. SF 1187, Van Drie.
- Method of paying state employees, bank. SF 1206, state government.
- Reimbursement to local school districts, county school systems, joint county systems, etc., for auxiliary services to nonpublic school students. SF 1199, schools; SF 1214, appropriations. (SF 1214 has appropriation) Very similar.
- Permit a school corporation to transfer surplus moneys if approved by voters. SF 1217, schools.

CONDEMNATION—**General**

- Eminent domain, condemnation, notices of appeal, lienholders, award of damages, etc. HF 229, Dunton; SF 1038, Van Gilst.
- Authorize counties to acquire private property by condemnation for sanitary landfill purposes. HF 1044, county government.
- Written application to condemn property and assess damages, these duties to be performed by clerk of court in each county. SF 1105, Riley.
- Condemnation appeals, party appealing shall have the burden of proof. HF 1198, judiciary.

CONGRESS OF THE UNITED STATES—**General**

- That the General Assembly designate one day each session to meet with Iowa congressmen to discuss subjects of mutual concern. HCR 104; H.J. 196.
- Urge congress to settle west coast dock strike and provide permanent procedures for settlement of transportation disputes, etc. HCR 109; H.J. 300.
- Urge congress to settle west coast strike, adopt legislation establishing permanent guidelines and procedures for settlement of transportation disputes, etc. SCR 104; S.J. 195, 228, 243, 267, 300-304 adopted, 306; H.J. 299.
- Lower age qualifications for offices of president, vice president, U.S. senator, and representative to legal voting age. HJR 1008, Ewell and Gluba.

CONGRESSIONAL DISTRICTS—**General**

- Strike requirement state central committee of a political party consist of one man and one woman from each congressional district. SF 1121, Milligan and Gaudineer.

CONSCIENTIOUS OBJECTORS—**General**

- Qualifications for city employees under civil service, conscientious objectors. HF 273, Bray, et al.; HF 1115, Small. (Same subject matter)

CONSERVANCY DISTRICTS—**(See Conservation)****CONSERVATION—****(Also see Soil Conservation)****General**

- Money advances by county boards of supervisors to county conservation boards. SF 1014, Robinson, et al.; HF 1035, Stanley, et al.
- Power of eminent domain of the board of a conservancy district. SF 1016, Graham.
- Establish land preserves, etc. HF 1195, Winkelman.
- Commend the various organizations, committees, businesses and industry in improving the 54 mile area along the Missouri River. SCR 113; S.J. 507, 710-711 adopted; H.J. 964, 1281 adopted.
- Commend the various organizations, committees, businesses and industry in improving the 54 mile area along the Missouri River. HCR 117; H.J. 632.

Commission

- Issuance of special deer hunting licenses to spouse of landowners and tenants, etc. SF 218, Potgeter; HF 1003, Andersen; SF 1037, Anderson; HF 1065, Middleswart; HF 1096, Campbell. (Same subject matter)
- Hunting of migratory game birds, issuance of stamps, collection of fees, penalties, etc. HF 1207, conservation and recreation; SF 1179, conservation and recreation; HF 1019, Kelly and Hansen. Similar.
- Trout fishing, must have special badge. SF 1045, Shawver.
- Removal of undesirable or injurious fish from inland waters, issue permit to an individual. HF 1108, Tieden; HF 1219, conservation and recreation.
- Drawing to determine number of persons receiving deer hunting licenses, preference to owners. SF 1095, conservation and recreation.
- Prohibit establishing an open season for hunting of birds and animals with a firearm during open season for deer. HF 1150, Wyckoff.
- Conservation commission authority to establish method of taking trout. SF 1134, conservation and recreation.
- Reversion to the state of abandoned railroad right-of-way, use of. HF 1215, Freeman and Campbell.
- Designate protected water areas. HF 1233, Tieden.
- Deer-hunting licenses. HF 1235, conservation and recreation. (HF 1003, HF 1065, HF 1096, HF 1150, SF 218, SF 385, SF 431, SF 1037, and SF 1095—these bills combined and/or singularly contain same and similar subject matter as HF 1235)
- Provide required statutory guidelines for adoption of administrative rules by conservation commission, penalty. SF 1172, conservation and recreation.
- Provide guidelines for adoption of administrative rules by conservation commission re water navigation regulations, etc., penalties. SF 1185, conservation and recreation.

CONSERVATION COMMISSION—
(See Conservation, sub-ref. Commission)

CONSTABLES—
(See Officers)

CONSTITUTIONAL AMENDMENTS—
General

- Establish seat of government at state center. SJR 1001, Mowry.
- Prohibit enactment of any state or local law which imposes or increases a tax retroactively. SJR 1002, Anderson, et al.
- Equality of rights. HJR 1001, Uban, et al.
- Age qualification of members of the General Assembly. HJR 1002, Hill, et al.
- Age qualification of the governor, lieutenant governor, and members of the General Assembly. HJR 1003, Ewell, et al.
- Provide means for the General Assembly to convene itself into special session. HJR 1004, constitutional amendments and reapportionment.
- Persons disqualified from being electors. HJR 1005, Blouin.
- Apportionment of the General Assembly based on population, etc. HJR 1007, Shaw, et al.
- Lower age qualifications for offices of president, vice president, U.S. senator, and representative to legal voting age. HJR 1008, Ewell and Gluba.
- Effective date of laws passed by the General Assembly. SJR 1005, Van Gilst.
- Allow a property tax exemption for persons 65 years or older. SJR 1006, Walsh.
- Deletion of word 'direct' thereby allowing state to impose taxes other than property tax, re debts. SJR 1007, constitutional amendments and reapportionment.
- Ratify amendment to constitution of the United States relative to equal rights for men and women. SJR 1008, Conklin and Doderer.

CONSTRUCTION—
General

- Construction of private and public buildings and facilities, accessible and functional for handicapped. HF 1121, Blouin.
- Issuance of environmental impact states redevelopment projects affecting the environment. HF 1223, Winkelman.

CONSUMER—
General

- Consumer contracts, etc., must be marked 'consumer instrument'. HF 635, Taylor, et al.; SF 1140, Gross.
- Committee to study legislative regulation of consumer credit charges in Iowa, submit report. HCR 141; H.J. 1327.
- Committee to study legislative regulation of consumer credit charges in Iowa, submit report. SCR 132; S.J. 1110.

CONTESTS—
General

- Endurance contests or marathons, repeal prohibition against. HF 1038, Clark.

CONTRACEPTIVE PRODUCTS—**General**

Remove prohibition against the sale or distribution of contraceptive products. SF 1076, Doderer, et al.

CONTRACTS—**General**

Consumer contracts, etc., must be marked 'consumer instrument'. HF 635, Taylor, et al.; SF 1140, Gross.
 Disposition of obsolete instruments in the county recorder's office. SF 1006, county government; HF 1014, county government.
 Forfeiture of real estate contracts, vendee also pay cost of preparation. HF 1051, Kelly.
 Shorten duration of contracts of county superintendents of schools. SF 1069, schools.
 Clarify procedures followed in the termination of a teacher's contract. SF 1135, Robinson and Gross.
 Regulate private trade, business, and correspondence schools, penalty. HF 1231, Kelly and Larson.

CONVENTIONS—**General**

Joint convention January 10, 1972 at 1:45 p.m., Governor Ray's state of the state message. HCR 101; H.J. 2 adopted; S.J. 10 adopted.
 Strike requirement state central committee of a political party consist of one man and one woman from each congressional district. SF 1121, Milligan and Gaudineer.

CO-OPERATIVE ASSOCIATIONS—**General**

Tax exemptions allowed on income of farmers and fruit growers cooperatives. SF 1176, Potgeter.

CORPORATIONS—**General**

Tort liability due to acts or omissions of directors, officers, etc. of nonprofit corporations. HF 414, Kreamer; SF 1144, Van Gilst.
 Taxation of income from interstate commerce, exemptions. SF 1103, Curran, et al.; HF 1166, Lawson, et al.
 Prohibit processors and distributors of beef or pork products from engaging in the production of cattle or hogs, penalties. SF 1108, Briles.
 Business corporations, use of similar names, signatures, meetings, mergers, etc. HF 1170, Kelly; SF 1191, judiciary.
 Tax exemptions allowed on income of farmers and fruit growers cooperatives. SF 1176, Potgeter.
 Offer or acceptance of gratuities in business transactions, value of \$25 or more a violation. HF 1266, county government.

COSMETOLOGY—**General**

Regulation of advertising and selling courses of instruction. HF 499, Grassley, et al.; HF 1273, commerce. (Similar subject matter)

COUNCILMEN—

(See Cities and Towns, sub-ref. Councils)

COUNCILS—

(See Cities and Towns, sub-ref. Councils)

COUNTIES—**General**

Notification, by county assessors, not later than March 15th, valuation of property. HF 452, Schmeiser, et al. (Similar subject matter as HF 1120, county government; SF 1117, county government)
 Identification cards for persons 60 years of age or older. HF 143, Stokes and Strand; SF 139, Sullivan and Van Gilst; HF 1058, Stokes, et al.; SF 1047, Van Gilst, et al. (Same subject matter)
 Petitioning for a rural water district, bond required. SF 1002, county government; HF 1012, county government.
 Support payments, if not paid, contempt of court. SF 1003, county government; HF 1013, county government.
 Publication of notice within a county by highway commission prior to commencement of construction or improvements on a highway. HF 1026, Fischer of Grundy.
 Authorize counties to acquire private property by condemnation for sanitary landfill purposes. HF 1044, county government.
 Require council of social services prepare a list of all deaf, blind, and severely handicapped persons. SF 1030, county government.
 Petitioning for a private sanitary district, bond required. SF 1031, county government; HF 1036, county government.
 State or its political subdivisions not liable re use of snowmobiles in road ditches, etc. HF 1055, Scott, et al.

- Prohibit enactment of any state or local law which imposes or increases a tax retroactively. SJR 1002, Anderson, et al.
- Change date of school board elections to coincide with municipal elections, etc. HF 1030, Kreamer; SF 1063, Conklin.
- Age qualifications for elective public office. HF 1116, Kehe, et al.
- Increase salaries of certain county officers. HF 1123, Rex and Pelton; SF 1149, Briles. Very similar.
- Commitment of alcohol and drug addicts, also private facilities. SF 1090, county government.
- Establish collection stations for recyclable materials. HF 1136, Kehe.
- Written application to condemn property and assess damages, these duties to be performed by clerk of court in each county. SF 1105, Riley.
- Taxing and licensing of dogs by counties, repeal sections relating to. SF 1118, Potgeter and Walsh.
- Change fiscal year of cities and towns, counties, and other political subdivisions. SF 1125, ways and means; HF 1175, ways and means. (HF 733 and SF 575 similar subject matter)
- Exempt from tax on sales and services—those furnished, or performed by the state or any of its political subdivisions. HF 1204, Andersen.
- Expenditure of county funds for membership in certain county officers associations. HF 1206, Knoke.
- Liens imposed on real estate owned by persons, or persons responsible for, receiving care at county expense shall not be subject to the limitation of actions. HF 1224, Winkelman and Rex.
- Create interim study committee on county statutes, appropriation. SJR 1004, Walsh.
- Provide that 10% of the gross sales of liquor stores be distributed to cities and towns—1% to counties. HF 1241, Gluba, et al.
- Provide for a comprehensive program for treatment, education, and rehabilitation of alcoholics. SF 1173, Doderer.
- All state purchases of goods and services and all governmental subdivisions, including schools, involving state or federal funds subject to competitive bidding with exceptions. HF 1251, state government.
- Drawing of grand jurors, counties having less than 12 election precincts. SF 1195, county government.
- Increase county fees for serving subpoenas, notice, warrants, summonses, etc., also for permit to carry concealed weapons. HF 1284, county government.
- Attorneys**
- Eliminate payment of a portion of the fines in antitrust suits to county attorneys and the attorney general. HF 1030, Blouin; SF 1023, judiciary; HF 1037, judiciary. S. (HF 1030 similar)
- Increase salaries of county attorneys. HF 1209, Knoke.
- Auditors**
- Change local budget certification date of school districts. SF 1001, Riley; HF 1045, Lipsky.
- Establish an intermediate court of criminal appeals, etc. SF 1079, Gaudineer and DeKoster.
- Election laws, penalties. HF 1147, state government.
- Conservation**
- Money advances by county boards of supervisors to county conservation boards. SF 1014, Robinson, et al.; HF 1035, Stanley, et al.
- Funds**
- Expenditure of county funds for membership in certain county officers associations. HF 1206, Knoke.
- Homes**
(See Homes, sub-ref. County)
- Recorder**
- Deposit of receipts from taxation of real estate transfers, percentage to state general fund, percentage to county. SF 64, county government; HF 1134, Winkelman. (Similar subject matter)
- Disposition of obsolete instruments in the county recorder's office. SF 1006, county government; HF 1014, county government.
- Disposition of obsolete copies of hunting, fishing and trapping licenses. SF 1007, county government; HF 1015, county government.
- Recording of documents for each special assessment project, etc., for cities and towns. HF 1178, Rex.
- Issuance of special registration certificates to snowmobile dealers and manufacturers, etc., fees. HF 1192, Stromer.
- Social Welfare**
- Computation of old age assistance grants, appropriation. SF 42, Conklin; SF 1141, Riley and Van Gilst. Similar.
- Employment of county relief recipients on county government owned properties, etc. SF 1024, county government.
- Juvenile court probation services, department of social services contribute, counties participate, etc., appropriation. SF 1039, Messerly and Conklin.
- Counties not financially responsible for aid to the disabled program. SF 1082, social services.

- Recovery of old age assistance payments, delete certain provision of code. SF 1115, Riley and Van Gilst.
- Collection of support payments for welfare recipients, state pay share to counties. HF 1164, Camp.
- Handicapped persons entering any kind of institution or facility to obtain needed care or treatment retains legal settlement he had at the time he entered. HF 1212, Logemann, et al.
- Old-age assistance recipients may reside in a county home which qualifies as a skilled nursing home. HF 1249, social services.
- Publishing of names of persons receiving public aid, penalties. SF 1156, Tapscott; HF 1263, county government. (Similar subject matter)

Supervisors, Board of

- Maximum amount of mileage compensation paid county supervisors. HF 474, Dunton; HF 1129, county government. (Similar subject matter)
- Reports of utility company valuations and mileage to city, town, and township trustees unnecessary, repeal sections. SF 1004, county government.
- Money advances by county boards of supervisors to county conservation boards. SF 1014, Robinson, et al.; HF 1035, Stanley, et al.
- Appointment of certain township officers by county board of supervisors. HF 1025, Knoblauch.
- Flood and erosion control, all taxable property outside of incorporated cities to be taxed. SF 1043, Briles; HR 1072, Pellett.
- Legalize indebtedness of Audubon County agricultural society, extend levy. HF 1071, Pellett.
- Statutory provisions affecting the legal treatment of female persons. HF 1114, Lipsky et al.; SF 1083, Doderer.
- Election laws, penalties. HF 1147, state government.
- Permit boards of supervisors to prohibit discharge of any firearms on any road or highway under their jurisdiction. SF 1127, Anderson.
- Expenditure of county funds for membership in certain county officers associations. HF 1206, Knoke.
- Provide that 10% of the gross sales of liquor stores be distributed to cities and towns—1% to counties. HF 1241, Gluba, et al.
- Number of members on county boards of supervisors and their terms. HF 1250, county government.
- Publishing of names of persons receiving public aid, penalties. SF 1156, Tapscott; HF 1263, county government. (Similar subject matter)
- Establish a state county liaison board re county homes. SF 1190, county government.

Treasurer

- Eliminate prescribed form by public safety re odometer mileage statements. HF 1004, Monroe.
- Grounds for refusal to register motor vehicles. HF 1007, Kreamer; SF 1032, Milligan.
- Motor vehicle registration fees, county treasurer retain. SF 1023, county government.
- Permit creation of community improvement districts, issuance of bonds and levy taxes, penalties, etc. SF 1062, Griffin; HF 1289, county government. Similar.
- Create a county election expense fund, county treasurer. SF 1116, county government.
- Registration fees on motor vehicles be based on value. SF 1150, county government.
- Distribution of motor vehicle registration fees by county treasurers. HF 1255, Holden.

Sheriffs

- Increase county fees for serving subpoenas, notice, warrants, summonses, etc., also for permit to carry concealed weapons. HF 1284, county government.

COUNTIES—SPECIFIC—

Adair

- Legalize proceedings of Stuart, Adair and Guthrie counties, award of a contract for construction of a sanitary sewer improvement project. HF 1075, Varley.

Audubon

- Legalize indebtedness of Audubon county agricultural society, extend levy. HF 1071, Pellett.

Boone

- Legalize proceedings of the united community school district in issuing school building bonds. SF 1055, Arbuckle; HF 1074, Nystrom.

Clay

- Legalize and validate proceedings of board of directors of Iowa Lakes Community College (Emmet, Dickinson, Clay, Palo Alto, and Kossuth). SF 263, Keith.
- Legalize proceedings of the town council of Peterson, Clay county, special assessments and issuance of street improvement bonds. SF 425, Milligan.

- Clinton**
Legalize proceedings of the city of DeWitt, Clinton county. SF 71, Shaff; HF 83, Camp.
- Dickinson**
Legalize and validate proceedings of board of directors of Iowa Lakes Community College (Emmet, Dickinson, Clay, Palo Alto, and Kossuth). SF 263, Keith.
- Emmet**
Legalize and validate proceedings of board of directors of Iowa Lakes Community College (Emmet, Dickinson, Clay, Palo Alto, and Kossuth). SF 263, Keith.
- Guthrie**
Legalize proceedings of Stuart, Adair and Guthrie counties, award of a contract for construction of a sanitary sewer improvement project. HF 1075, Varley.
- Hardin**
Remodeling of the Hardin county court house, Eldora, legalize proceedings of board of supervisors. SF 539, state government.
Grant water and sewage easement to Eldora. HF 1048, Welden; SF 1046, Potgeter.
- Henry**
Legalize sale of certain land in Henry county. HF 516, Strothman.
- Ida**
Property tax levies for basic school tax in Ida, Johnson, and Kossuth counties. SF 462, ways and means.
- Johnson**
Property tax levies for basic school tax in Ida, Johnson, and Kossuth counties. SF 462, ways and means.
- Kossuth**
Legalize and validate proceedings of board of directors of Iowa Lakes Community College (Emmet, Dickinson, Clay, Palo Alto, and Kossuth). SF 263, Keith.
Property tax levies for basic school tax in Ida, Johnson, and Kossuth counties. SF 462, ways and means.
- Lee**
Permit cities, not less than 13,000 nor more than 17,000 population, located on a navigable river, construction of a waste treatment facility. (Keokuk). SF 538, cities and towns; HF 707, cities and towns.
- Linn**
Designating a certain water area of the Wapsipinicon River as an artificial lake. SF 287, Robinson; HF 437, Lipsky.
- Marion**
Legalize authorization and issuance of water revenue bonds, Bussey. HF 557, cities and towns; SF 469, cities and towns.
- Marshall**
Legalize and validate procedures re sale of real estate by West Marshall Community School district, Marshall and Story counties. SF 277, Mowry.
- Mills**
Rest areas, Mills and Pottawattamie counties. HF 236, state government.
- Montgomery**
Legalize and validate proceedings of Red Oak, Montgomery county, purchase of property for off-street parking. SF 129, Bass.
- Palo Alto**
Legalize and validate proceedings of board of directors of Iowa Lakes Community College (Emmet, Dickinson, Clay, Palo Alto, and Kossuth). SF 263, Keith.
- Polk**
Legalize sale of a portion of the Wright school site, Des Moines, Polk County. SF 426, Milligan; HF 555, Kreamer.
Legalize proceedings of Delaware Township trustees, Polk County, certain elections authorizing a tax levy for fire protection purposes and issuance of bonds. HF 515, Skinner.
Legalize intergovernmental corporation boundary agreement between Clive and Windsor Heights. HF 565, Alt.
- Pottawattamie**
Rest areas, Mills and Pottawattamie counties. HF 236, state government.
- Poweshiek**
Legalize and validate procedures of Poweshiek county board of supervisors for repair and remodeling of the jail. HF 716, judiciary.
- Shelby**
Reimburse city of Harlan for expenses incurred, re site for proposed Western Iowa College. SF 101, Schaben.

Story

Legalize and validate procedures re sale of real estate by West Marshall Community School district, Marshall and Story counties. SF 277, Mowry.

Legalize proceedings of the United Community School district in issuing school building bonds. SF 1055, Arbuckle; HF 1074, Nystrom.

Wapello

Commission for government, number of councilmen, Ottumwa. SF 541, cities and towns.

COURT—**(Also see Judiciary)****General**

Eminent domain, condemnation, notices of appeal, lienholders, award of damages, etc. HF 229, Dunton; SF 1038, Van Gilst.

Additional penalties for commission of, or attempt to commit crimes when armed with firearms. HF 280, Fischer of Grundy; SF 1066, law enforcement. (Same subject matter)

Issuance of new birth certificates for persons born outside the U.S. and adopted in Iowa. SF 354, DeKoster and Potgeter; HF 1039, Clark.

Dissolution of marriage, support, etc. HF 405, Doyle, et al.; HF 1275, judiciary, similar subject matter—contains some of the same sections.

Tort liability due to acts or omissions of directors, officers, etc. of nonprofit corporations. HF 414, Kreamer; SF 1144, Van Gilst.

Grounds for refusal to register motor vehicles. HF 1007, Kreamer; SF 1032, Milligan.

Support payments, if not paid, contempt of court. SF 1003, county government; HF 1013, county government.

Increase expert witness fees. SF 1015, judiciary.

Provide each judge in Iowa with an additional copy of the Code and other documents. SF 1051, Riley.

Exceptions to time limits during which certain civil actions must be brought. SF 1057, Van Drie; HF 1086, Egenes.

State reciprocity in enforcement of support decrees, etc. HF 1073, Schwieger; HF 1287, judiciary. Similar.

Provide for the court in neglected, dependent, etc. child cases to have access to school records, etc. HF 1088, Dunton.

Establish an intermediate court of criminal appeals, etc. SF 1079, Gaudineer and DeKoster.

Age qualifications for elective public office. HF 1116, Kehe, et al.

Confidential communications and the press. HF 1118, Kelly.

Written application to condemn property and assess damages, these duties to be performed by Clerk of Court in each county. SF 1105, Riley.

Require report of the disposition of all persons whose arrest has been reported to criminal investigation and bureau of identification. HF 1169, law enforcement.

Municipal tort liability—includes employees, officers, school board members, etc., notices. SF 1133, DeKoster.

Establish a workmen's compensation court. SF 1137, Kennedy; HF 1236, Shaw and Knoke.

Reduce time when certain court records may be destroyed. HF 1271, judiciary.

Service of notice—increase value of property surviving spouse may take—prior will of remarried couple, reinstated—estates, equitable relief, separate action—appointment of guardians or conservators for those incapable of caring for themselves—and disclaimer in intestate estates, etc. SF 1194, judiciary.

Drawing of grand jurors, counties having less than 12 election precincts. SF 1195, county government.

District

Grand jury panel may be drawn before last Monday in December. SF 1089, judiciary.

Election laws, penalties. HF 1147, state government.

Judicial redistricting and judicial nominating commissions. HF 1161, Rodgers, et al.; SF 1126, Rhodes, et al.

Juvenile

Free copy of Code to juvenile court referee. HF 1041, Kelly.

Juvenile court probation services, department of social services contribute, counties participate, etc., appropriation. SF 1039, Messerly and Conklin.

Allows persons 14 and 15 to work in certain occupations, badge no longer required, also certain occupations approved by labor commissioner, juvenile court judge and superintendent of schools. SF 1128, Gaudineer. (HF 171 similar subject matter)

Municipal

Provide for an additional municipal judge to handle alcohol related cases, federal funds. HF 1187, Doyle, et al.

Supreme

State of the judicial department message by chief justice of supreme court. HF 1069, Kelly.

Committee to study structure of the Iowa supreme court, need for changes or for alternative appeals courts, submit report. SCR 105; S.J. 226, 492, 509, 589-590 adopted; H.J. 856, 1037 adopted.
 Establish an intermediate court of criminal appeals, etc. SF 1079, Gaudineer and DeKoster.

CREDIT—**General**

Committee to study legislative regulation of consumer credit charges in Iowa, submit report. HCR 141; H.J. 1327.
 Committee to study legislative regulation of consumer credit charges in Iowa, submit report. SCR 132; S.J. 1110.

CREDIT UNIONS—**General**

Voting by absentee ballots by members of credit unions. HF 1023, Bennett.

CRIME—**(Also see Law Enforcement)****General**

Additional penalties for commission of, or attempt to commit crimes when armed with firearms. HF 280, Fischer of Grundy; SF 1066, law enforcement. (Same subject matter)
 Malicious damage to property, penalties. HF 1191, Blouin.
 Civil liability for criminal acts, restitution to victims of crimes. HF 1201, Strothman.
 Person found guilty of a crime can not deny act in a civil action for damages. HF 1202, Strothman.
 Increase dollar amount necessary for the commission of a felony. HF 1254, law enforcement.

Commission

Urge crime commission to designate a portion of federal funds to the University of Northern Iowa for establishing a college of criminal justice. HCR 106; H.J. 252.
 Social services urged to apply for subgrants available from crime commission for hiring of additional counselors and parole agents HCR 108; H.J. 300, 791 adopted; S.J. 565.
 Urge social services to apply for subgrants available from Iowa crime commission for the hiring of additional counselors and parole agents. SCR 107; S.J. 391, 418.
 Establish office of penal and correctional complaints. HF 1229, Small, et al.
 Appropriate funds to the crime commission for matching federal funds. SF 1182, appropriations.

CRIMINAL PROCEDURE—**General**

Require report of the disposition of all persons whose arrest has been reported to criminal investigation and bureau of identification. HF 1169, law enforcement.

CUSTODY—**(See Minors and/or Court)****DAIRY—****(See Foods, sub-ref. Dairy)****DAMS—****(Also see Water)****General**

Required approved soil conservation practices on land in the watershed upstream from proposed dams, U.S. Army Corps of Engineers. HJR 1006, Winkelman, et al.

DATA PROCESSING—**General**

Approval, coordination, and supervision over electronic data processing for educational purposes in cooperation with general services. SF 1070, schools.
 Authorize use of electronic voting systems. HF 1220, state government.

DAYLIGHT TIME—**(See Time)****DEBTS—****General**

Provide that certain actions by collection agencies are unlawful, penalties. HF 1182, Stromer.
 Exemptions from execution, debtors, and providing penalties. SF 1180, judiciary; HF 1260, judiciary. Similar.

DECREES—**General**

Dissolution of marriage, support, etc. HF 405, Doyle, et al.; HF 1275, judiciary, similar subject matter—contains some of the same sections.
 State reciprocity in enforcement of support decrees, etc. HF 1073, Schwieger; HF 1287, judiciary. Similar.

DEEDS—**General**

Taxation of real estate transfers and penalty for failure to comply. SF 1101, ways and means. (HF 1288 contains some of the same sections—similar subject matter)
 Provide for full disclosure of sales price in real estate transfers, penalty. HF 1288, ways and means. (SF 1101 contains some of the same sections—similar subject matter)

DEPENDENTS—**General**

Age for which liability for support is required, uniform support of dependents law. SF 1018, Gaudineer.
 Provide for the court in neglected, dependent, etc. child cases to have access to school records, etc. HF 1088, Dunton.

DEPARTMENT OF HEALTH—

(See Health, Department of)

DEPARTMENT OF REVENUE—

(See Revenue, Department of)

DEPARTMENTAL RULES—

(See Rules)

DETERGENTS—**General**

Prohibit sale of any detergent containing any phosphorous compound. SF 459, Riley; HF 1022, Blouin. S.

DEVELOPMENT COMMISSION—**General**

Create an Iowa world exposition authority to plan and establish an Iowa world food exposition, etc. HF 1156, Iowa development; SF 1143, Iowa development. Similar.
 Create a state transportation planning commission. HF 1173, Welden.
 Motor vehicle registration plates, display symbol. HF 1193, Welden; HF 1256, transportation.
 Establish land preserves, etc. HF 1195, Winkelman.

DISCRIMINATION—**General**

Prohibit wage discrimination on the basis of sex. HF 1142, Shaw, et al.
 Civil rights of physically and mentally handicapped persons. SF 1148, human and industrial relations.
 Prohibit age discrimination in employment; persons 65 or older may obtain identification cards, and also may use school buses and lunch facilities if. SF 1164, Walsh. (HF 64 and SF 274 comp.; SF 81 and HF 427 comp.; SF 82 and HF 107 comp.; HF 143 and SF 139 comp.; HF 1058 and SF 1047 comp. These bills combined contain same and similar subject matter as SF 1164)
 Prohibit discrimination by licensing associations. SF 1208, judiciary.

DISEASE—

(Also see Animals, sub-ref. Diseases)

General

Publications concerning the cure of venereal disease, repeal prohibition against. SF 1084, Potgeter.
 Inspection and testing of swine brucellosis. HF 1270, agriculture; SF 1200, agriculture. Similar.
 Committee to study method of protecting the public from disease, fraud, etc., re pet animals, submit report. SCR 131; S.J. 1007, 1010.

DISTRICT COURT—

(See Courts, sub-ref. District)

DIVORCE—**General**

Dissolution of marriage, support, etc. HF 405, Doyle, et al.; HF 1275, judiciary, similar subject matter; contains some of the same sections.
 Support payments, if not paid, contempt of court. SF 1003, county government.; HF 1013, county government.
 Exemptions from execution, debtors, and providing penalties. SF 1180, judiciary; HF 1260, judiciary. Similar.

DOCUMENTARY STAMPS—**General**

Deposit of receipts from taxation of real estate transfers, percentage to state general fund, percentage to county. SF 64, county government; HF 1134, Winkelman. (Similar subject matter)

DOCUMENTS—**General**

Provide each judge in Iowa with an additional copy of the Code and other documents. SF 1051, Riley.

DRUGS—

(Also see Pharmacy and/or Narcotics)

General

Mandatory revocation of the drivers license of persons convicted of possession of drugs, etc. in a motor vehicle. HF 1029, Doyle.

Prohibit administration of drugs to horses, penalties. HF 1125, Winkelman and Tieden.

Commitment of alcohol and drug addicts, also private facilities. SF 1090, county government.

Permit pharmacists to allow customers to chose between prescription drugs of same value, but different prices. SF 1129, Gaudineer.

Control of dangerous substances (medications) and the board of pharmacy, increase license fees. SF 1192, law enforcement.

Health maintenance organizations, defines, authorize establishment. SF 1212, state government.

EASEMENTS—**General**

Grant water and sewage easement to Eldora. HF 1048, Welden; SF 1046, Pot-geter.

ECOLOGY—

(See Environmental Preservation)

EDUCATION—

(See Schools, all sub-refs.)

EGGS—

(See Foods, sub-ref. Dairy)

EIGHTEEN YEARS OF AGE—**General**

Age of majority (18 years). HF 1011, state government; SF 1009, Conklin. S.

ELECTION—**General**

Immediate canvass of votes re school elections. HF 1009, Shaw.

Voting by absentee ballots by members of credit unions. HF 1023, Bennett. Resignations of school board members, and election of. HF 1032, Pellett, et al.

Election expenses, campaign expenditures by candidates not to exceed certain amount for either primary or general election, etc. SF 1027, Glenn.

Polling places used in school elections. SF 1050, Riley.

Compensation for election judges in school elections. SF 1054, Lamborn.

Equality of rights. HJR 1001, Uban, et al.

Change date of school board elections to coincide with municipal elections, etc. HF 1080, Kreamer; SF 1063, Conklin.

Persons disqualified from being electors. HJR 1005, Blouin.

Establish an intermediate court of criminal appeals, etc. SF 1079, Gaudineer and DeKoster.

Election laws, penalties. HF 1147, state government.

Create a county election expense fund, county treasurer. SF 1116, county government.

Create a system of intermediate educational service districts in place of county school systems. HF 1174, Andersen.

Authorize a presidential preferential primary election in Iowa. HF 1186, Freeman and Blouin.

Appropriation to secretary of state to defray expenses re election laws. HF 1213, appropriations.

Authorize use of electronic voting systems. HF 1220, state government.

Provide that in all at-large elections, candidates shall state the specific seat to which they are seeking election. HF 1245, Taylor.

Method of selection, term of office of members of highway commission and the chief engineer. HF 1252, Taylor.

Set the 1972 primary election date for August 1, 1972. HF 1265, state government.

Drawing of grand jurors, counties having less than 12 election precincts. SF 1195, county government.

ELECTRICITY—**General**

Apportionment of property valuation of certain electric power generating plants. HF 1148, Kehe and Fischer of Grundy; HF 1277, ways and means. Similar subject matter.

ELECTRONICS—**General**

Establish a board of electronic service examiners, etc. SF 1187, Van Drie.

EMINENT DOMAIN—**General**

Eminent domain, condemnation, notices of appeal, lienholders, award of damages, etc. HF 229, Dunton; SF 1038, Van Gilst.

Power of eminent domain of the board of a conservancy district. SF 1016, Graham.

Written application to condemn property and assess damages, these duties to be performed by clerk of court in each county. SF 1105, Riley.

EMPLOYEES—

(See Employment, sub-ref. Employees—Also State Government, sub-ref. Employees)

EMPLOYMENT—**General**

Civil rights of physically and mentally handicapped persons. SF 1148, human and industrial relations.

Employees

(Also see Schools, sub-ref. Employees)

Contribution ceiling under IPERS. HF 95, Mendenhall; SF 343, Riley, et al.; HF 1135, Andersen; SF 1100, Doderer. (Similar subject matter)

Employment of county relief recipients on county government owned properties, etc. SF 1024; county government.

State employees transferring from a nonmerit system job to merit system job entitled to state employee benefits. SF 1033, Van Drie.

Legal holidays for state employees. SF 1056, Van Drie, et al.

Adjust pay of state employees under merit system according to changes in consumer price index. HF 1070, Nystrom; SF 1027, Van Drie.

Provide overtime pay for highway commission employees. SF 1060, Van Drie et al.; HF 1076, Nystrom.

Increase salary ceiling for contributions to IPERS. HF 1145, Mendenhall. (SF 455, SF 1067, HF 1046, HF 1093 and SF 1109 similar subject matter)

Rehiring of former and transfers of state employees. HF 1144, Hansen.

Shorten number of years employment for receiving IPERS, etc. HF 1093, Dunton, et al.; SF 1109, Rhodes, et al. (SF 455, SF 1067, HF 1046 and HF 1145 similar subject matter)

Include probationary employees of the state in vacation allowances if terminated; exceptions. HF 1154, Nystrom; SF 1139 Van Drie.

State participation in group life insurance programs for state employees. SF 1138, Van Drie; HF 1188, Nystrom. (Very similar)

Establish a state highway commission employee representative, employee related matters, merit system. SF 1153, Van Drie.

Prohibit age discrimination in employment; persons 65 or older may obtain identification cards, and also may use school buses and lunch facilities if. SF 1164, Walsh. (HF 64 and SF 274 comp.; SF 81 and HF 427 comp.; SF 82 and HF 107 comp.; HF 143 and SF 139 comp.; HF 1058 and SF 1047 comp. These bills combined contain same and similar subject matter as SF 1164)

Recommend purchase of disability income protection and life insurance protection for highway commission employees. HCR 122; H.J. 900.

Recommend purchase of disability income protection and life insurance protection for highway commission employees. SCR 118; S.J. 651.

Recommend purchase of disability income protection and life insurance protection for all state employees. HCR 123; H.J. 936, 1027 adopted; S.J. 799, 818 adopted.

Urge executive council adopt the practice of paying highway commission employees every two weeks on Wednesday. HCR 125; H.J. 992.

General Assembly urges allowing state employee organizations the use of state buildings and auditoriums when available. HCR 131; H.J. 1090, 1358 adopted; S.J. 1131-1132 failed, 1134.

EMPLOYMENT SECURITY COMMISSION—**General**

Increase benefits for unemployment compensation. HF 1248, Gluba, et al.

ENVIRONMENTAL PRESERVATION—**General**

Prohibit sale of any detergent containing any phosphorus compound. SF 459, Riley; HF 1022, Blouin. S.

Establish collection stations for recyclable materials. HF 1136, Kehe.

- Clarify voting authority of ex officio members of soil conservation committee, authorize committee to set time limitations for district commissioners to establish soil loss limits, etc. HF 1176, environmental preservation.
- Establishment, by cities and towns, of sanitary disposal projects, authorizing a tax. violations. HF 1183, Radl.
- Require approved soil conservation practices on land in the watershed upstream from proposed dams, U.S. army corps of engineers. HJR 1006, Winkelman, et al.
- Establish land preserves, etc. HF 1195, Winkelman.
- Authorize cities and towns to issue revenue bonds in connection with pollution control. SF 1158, Iowa development; HF 1239, Lawson.
- Issuance of environmental impact states re development projects affecting the environment. HF 1223, Winkelman.
- Designate protected water areas. HF 1233, Tieden.
- Establish minimum percentages of plant nutrients in mixed fertilizers. HF 1240, agriculture.
- Commend the various organizations, committees, businesses and industry in improving the 54 mile area along the Missouri River. SCR 113; S.J. 507, 710-711 adopted; H.J. 964, 1281 adopted.
- Commend the various organizations, committees, businesses and industry in improving the 54 mile area along the Missouri river. HCR 117; H.J. 632.
- Provide guidelines for adoption of administrative rules by conservation commission re water navigation regulations, etc., penalties. SF 1185, conservation and recreation.

EQUAL RIGHTS—**General**

- Equality of rights. HJR 1001, Uban, et al.
- Ratify amendment to constitution of the United States relative to equal rights for men and women. SJR 1008, Conklin and Doderer.

EROSION—

(See Land and/or Soil Conservation)

ESTATES—**General**

- Exemptions from inheritance tax, brother or sister. HF 1119, Blouin.
- Change classification of claims, for public assistance, against estates, mentally ill. SF 1088, judiciary.
- Inheritance taxes, provide for the passing of property held jointly or as tenants in entirety, also marital deduction. SF 1124, Conklin. (HF 1119 subject matter)
- Reduce time limit for filing a state inheritance tax return. HF 1172, Ellsworth.

EXECUTIVE COUNCIL—**General**

- Grant water and sewage easement to Eldora. HF 1048, Welden; SF 1046, Potgeter.
- Remove requirement executive council approve merit system classification and pay plan. HF 1049, Gluba.
- Fees for legal assistance employed by executive council and claims against the state. SF 1145, Hill and Potgeter.
- Funding merit system pay plan, appropriation. HF 1214, appropriations.
- Provide office space to the president or chief administrative officer of each state employee organization representing 2500 or more state employees, etc. SF 1159, Van Drie.
- That the executive council shall have published the names and dates of the men captured or missing in Vietnam and that flags over state buildings shall be flown at half mast upon the anniversary of those dates. SCR 114; S.J. 508, 632-634 adopted; H.J. 912-913 adopted.
- Allow executive council to purchase the GMC building, appropriation. HF 1279, appropriations.
- Additional and/or corrective duties and/or services the department of general services may, with or without approval of executive council and/or legislative council, provide. HF 1290, state government.
- Recommend purchase of disability income protection and life insurance protection for all state employees. HCR 123; H.J. 936, 1027 adopted; S.J. 799, 818 adopted.
- Urge executive council adopt the practice of paying highway commission employees every two weeks on Wednesday. HCR 125; H.J. 922.

EXEMPTIONS—**General**

- Exemptions from inheritance tax, brother or sister. HF 1119, Blouin.
- Inheritance taxes, provide for the passing of property held jointly or as tenants in entirety, also marital deduction. SF 1124, Conklin. (HF 1119 similar subject matter)

EXPENDITURES—**General**

- Annual reversions of administrative appropriations. HF 1100, Camp and Kehe.

EYES—

(See Medical—Professional, sub-ref. Optometry)

FAIRS—**General**

Amusement rides, etc., safety inspection and regulation of. HF 1001, human and industrial relations.

FARMS—

(See Agriculture, all sub-refs.)

FEDERAL GOVERNMENT—**General**

That the federal government be directed to institute a study of present price-grading system for grain and oil seeds in the U.S.; establish a new base for determining market price. HCR 111; H.J. 496, 1037 adopted; S.J. 799, 1058 adopted.

Ratify amendment to constitution of the United States relative to equal rights for men and women. SJR 1008, Conklin and Doderer.

FEEDS—

(See Agriculture, sub-ref. Feeds)

FEEES—**General**

Establish board of optometry, restructure operations, etc. of present board. HF 524, Freeman, et al.; SF 1154, Arbuckle, et al. Similar.

Amusement rides, etc., safety inspection and regulation of. HF 1001, human and industrial relations.

Bank holding companies, bank offices, etc., re loans, fees paid, etc. SF 1008, Brownlee, et al.; HF 1112, Fischer of Grundy; HF 100, Sorg, et al.; SF 341, Griffin. (Similar subject matter)

Motor vehicle registration fees, county treasurer retain. SF 1023, county government.

Increase fees for duplicate broker's license and a new license. SF 1025, Thordsen.

Student activity fees, universities, require list of purposes for. SF 1048, Messerly.

Provide course for persons convicted of operating a motor vehicle while under the influence of an alcoholic beverage, suspension of drivers licenses, fees, penalties. HF 1082, Lipsky and Christensen.

Uniform minimum standards for plumbing, licensing, supervision and inspection, penalties. HF 1085, Nystrom.

Corrective amendments to the Iowa beer and liquor control act; fees, permits, licenses, locations, etc. HF 1133, state government.

Require board of regents to itemize student fees, permit student to elect which fees he will pay re services, etc. HF 1133, Schroeder.

Copying of public records, may do so by means of equipment, fee. HF 1139, Larson.

Recording of documents for each special assessment project, etc., for cities and towns. HF 1173, Rex.

Issuance of special registration certificates to snowmobile dealers and manufacturers, etc., fees. HF 1192, Stromer.

Fees for legal assistance employed by executive council and claims against the state. SF 1145, Hill and Potgeter.

Registration fees on motor vehicles be based on value. SF 1150, county government.

Establish an examination fee for real estate salesman or broker examinations. SF 1183, Thordsen.

Establish a board of electronic service examiners, etc. SF 1187, Van Drie.

Increase county fees for serving subpoenas, notice, warrants, summonses, etc., also for permit to carry concealed weapons. HF 1284, county government.

FELONY—

(See Law Enforcement)

FINES—

(Also see Law Enforcement)

FIRE—**Marshal—State**

Child care facilities, motels, and apartment houses subject to rules and regulations of the fire marshal. HF 1261, law enforcement.

FIREARMS—

(Also see Weapons)

General

Additional penalties for commission of, or attempt to commit crimes when armed with firearms. HF 280, Fischer of Grundy; SF 1066, law enforcement. (Same subject matter)

Permit boards of supervisors to prohibit discharge of any firearms on any road or highway under their jurisdiction. SF 1127, Anderson.
 Increase county fees for serving subpoenas, notice, warrants, summonses, etc., also for permit to carry concealed weapons. HF 1284, county government.

FIREMEN—

General

Qualifications of police and fire chiefs. SF 1174, Doderer.

FISH AND GAME—

(Also see Conservation and/or Hunting and/or Licenses, sub-ref. Fish and Game)

General

Issuance of special deer hunting licenses to spouse of landowners and tenants, etc. SF 218, Potgeter; HF 1003, Andersen; SF 1037, Anderson; HF 1065, Middleswart; HF 1096, Campbell. (Same subject matter)
 Hunting of migratory game birds, issuance of stamps, collection of fees, penalties, etc. HF 1207, conservation and recreation; SF 1179, conservation and recreation; HF 1019, Kelly and Hansen, similar.
 Trout fishing, must have special badge. SF 1045, Shawver.
 Removal of undesirable or injurious fish from inland waters, issue permit to an individual. HF 1108, Tieden; HF 1219, conservation and recreation.
 Prohibit establishing an open season for hunting of birds and animals with a firearm during open season for deer. HF 1150, Wyckoff.
 Conservation commission authority to establish method of taking trout. SF 1134, conservation and recreation.
 Persons 65 or older may obtain fishing license for fishing Mississippi and Missouri rivers for 50 cents per year. SF 1168, Walsh.
 Deer-hunting licenses. HF 1235, conservation and recreation. (HF 1003, HF 1065, HF 1096, HF 1150, SF 218, SF 385, SF 431, SF 1037, and SF 1095. These bills combined and/or singularly contain same and similar subject matter as HF 1235)
 Provide required statutory guidelines for adoption of administrative rules by conservation commission, penalty. SF 1172, conservation and recreation.

Licenses

(See Licenses, sub-ref. Fish and Game)

FLOODS—

General

Flood and erosion control, all taxable property outside of incorporated cities to be taxed. SF 1043, Briles; HF 1072, Pellett.

FOODS—

General

Vending machines, breaking and entering of. HF 1006, Doyle.
 Special liquor control license for sale of wine only for commercial establishments, principal business is sale of food. HF 1017, Rodgers.
 Packaged meat and poultry must have date of packaging stamped on label, penalties. HF 1040, Kinley.
 Prohibit processors and distributors of beef or pork products from engaging in the production of cattle or hogs, penalties. SF 1108, Briles.
 Establish the use of enriched flour in bread, regulations. HF 1163, Egenes.
 Transfer the licensing of vehicles from which food and dairy products are sold, increase fees. SF 1171, agriculture.

Dairy

Create Iowa egg fund, promote marketing of eggs, excise tax for. SF 255, Coleman; HF 350, Rex; HF 1285, agriculture. Similar subject matter.
 Labeling of eggs, penalty. HF 1060, Kinley.
 Committee to study Iowa milk and milk product standards, submit report. HCR 137; H.J. 1246, 1395 adopted; S.J. 1149.

FRANCHISES—

(Also See Tax, sub-ref. Franchise)

FUEL—

General

Self-service filling stations, authorization, regulation, and inspection of. HF 1059, Schroeder, et al.
 Increase excise tax on leaded motor fuels to .09 cents per gallon, .06 cents nonleaded. HF 1218, Small.
 Standards for diesel fuel. HF 1225, Priebe, et al.
 Committee to study feasibility of the manufacture of grain alcohol motor fuel by Iowa industries, etc., submit report. HCR 133; H.J. 1114.

FUNDS—

(Also see Schools, sub-ref. Funds)

General

Vietnam veterans' service compensation fund, bonds. HF 352, Wyckoff and Ellsworth; SF 1106, Riley; SF 1202, ways and means; HF 1300, appropriations. Similar.

Real estate broker trust funds. SF 1010, Potter.
Use of fees and funds received by soldiers home. HF 1016, Camp and Lipsky.
Fees collected by commerce commission deposited to general fund. HF 1052, commerce; SF 1207, commerce.

Counties

Deposit of receipts from taxation of real estate transfers, percentage to state general fund, percentage to county. SF 64, county government; HF 1134, Winkelman. (Similar subject matter)

Treasurer of State

Deposit of receipts from taxation of real estate transfers, percentage to state general fund, percentage to county. SF 64, county government; HF 1134, Winkelman. (Similar subject matter)

GAS—

(See Fuel)

GENERAL ASSEMBLY—

General

Joint convention January 10, 1972 at 1:45 p.m., Governor Ray's State of the State message. HCR 101; H.J. 2 adopted; S.J. 10 adopted.
Urge President of the U.S. request the government of the Soviet Union to permit free exercise of religion, end discrimination, and permit emigration. HCR 102; H.J. 24, 70 adopted; S.J. 89, 136 adopted.
Prohibit enactment of any state or local law which imposes or increases a tax retroactively. SJR 1002, Anderson, et al.
Equality or rights. HJR 1001, Uban, et al.
Age qualification of members of the General Assembly. HJR 1002, Hill, et al.
Age qualification of the governor, lieutenant governor, and members of the General Assembly. HJR 1003, Ewell, et al.
Provide means for the General Assembly to convene itself into special session. HJR 1004, constitutional amendments and reapportionment.
That the General Assembly designate one day each session to meet with Iowa congressmen to discuss subjects of mutual concern. HCR 104; H.J. 196.
Designation of the General Assembly and acts thereof, numbering, etc. SF 1087, judiciary.
Compensation of members of the General Assembly, vacancies. SF 1111, judiciary.
Department of social services urged to apply for subgrants available from Iowa crime commission for hiring of additional counselors and parole agents. HCR 108; H.J. 300.
Urge congress to settle west coast dock strike and provide permanent procedures for settlement of transportation disputes, etc. HCR 109; H.J. 300.
Increase compensation of members of the General Assembly, etc., abolish budget and financial control committee. SF 1155, Tapscott, et al.
Apportionment of the General Assembly based on population, etc. HJR 1007, Shaw, et al.
Extend benefits of social security to members of the General Assembly. HF 1223, Middleswart, et al.
Expenses of legislators during interim, payment. SCR 119; S.J. 703, 995 adopted; H.J. 1224-1225, 1358 adopted.
That the president of the Senate and speaker of the House be presented with similar desks such as they are now using. SCR 120; S.J. 704, 996 adopted; H.J. 1225, 1358 adopted.
Details of closing the 1972, Second Regular Session of the Sixty-fourth General Assembly, interim staff and work, reconvening the 1973, First Regular Session of the Sixty-fifth General Assembly. SCR 121; S.J. 704, 995 adopted; H.J. 1225, 1359 adopted.
Interim expenses for the secretary of the Senate. SR 101; S.J. 703, 995 adopted.
Resolutions calling for interim studies not adopted in both houses be delivered to the president pro tempore and speaker of the House and the legislative council determine priorities, etc. SCR 122; S.J. 800, 995 adopted; H.J. 1226, 1359 adopted.
Rejected claims be considered by Senate and House, approval. HCR 128; H.J. 1062, 1281 adopted; S.J. 1044, 1121 adopted.
Adjournment Friday, March 10, 1972 at five p.m. SCR 111; S.J. 478, 709-710 adopted; H.J. 964, 1096.
Committee to study the rules and procedures of the General Assembly. HCR 138; H.J. 1270, 1365 adopted; S.J. 1149.
That a certificate of service be given each page in both the Senate and House commending them for their services. SCR 133; S.J. 1158 adopted; H.J. 1445 adopted.
Adjournment, Friday, March 24, 1972 at 8:15 p.m. SCR 134; S.J. 1174-1175 adopted; H.J. 1446 adopted.

GENERAL SERVICES—

General

Approval, coordination, and supervision over electronic data processing for educational purposes in cooperation with general services. SF 1070, schools.

- Establish office of state architect within department of general services. HF 1124, Alt.
- All state purchases of goods and services and all governmental subdivisions, including schools, involving state or federal funds subject to competitive bidding with exceptions. HF 1251, state government.
- Additional and/or corrective duties and/or services the department of general services may, with or without approval of executive council and/or legislative council, provide. HF 1290, state government.

GEOLOGY—**General**

- Nonreversion of \$21,000 appropriated to geological survey. HF 1296, appropriations; SF 1213, appropriations.

GOVERNOR—**General**

- Joint convention January 10, 1972 at 1:45 p.m., Governor Ray's state of the state message. HCR 101; H.J. 2 adopted; S.J. 10 adopted.
- Alterations and repairs to capitol building, capitol planning commission and special committee. SF 1017, Messerly and Conklin; H.F. 1043, Alt; HF 1063, Lipsky, et al. (Same subject matter)
- Create a department of transportation, appropriation. SF 1040, transportation; HF 1068, transportation. S.
- Age qualification of the governor, lieutenant governor, and members of the General Assembly. HJR 1003, Ewell, et al.
- Establish an intermediate court of criminal appeals, etc. SF 1079, Gaudineer and DeKoster.
- Establish a commission status of women. HF 1140, Shaw, et al.; SF 1211, judiciary.
- Create an Iowa world exposition authority to plan and establish an Iowa world food exposition, etc. HF 1156, Iowa development; SF 1143, Iowa development. Similar.
- Establish a workmen's compensation court. SF 1137, Kennedy; HF 1236, Shaw and Knoke.
- Provide for an additional municipal judge to handle alcohol related cases, federal funds. HF 1187, Doyle, et al.
- Establish land preserves, etc. HF 1195, Winkelman.
- Conversion of Terrace Hill for use as governor's mansion, appropriation. HF 1196, Dunton, et al.
- Funding merit system pay plan, appropriation. HF 1214, appropriations.
- Governor's youth program, appropriation. HF 1217, Blouin.
- Request Governor Ray declare July 4, 1972 as senior citizens recognition day. SCR 109; S.J. 418.
- Establish a commission on salaries for elective state officials. HF 1242, state government.
- Provide for a comprehensive program for treatment, education, and rehabilitation of alcoholics. SF 1173, Doderer.
- Method of selection, term of office of members of highway commission and the chief engineer. HF 1252, Taylor.
- Establish an office of citizens' aide, penalties, appropriation. SF 288, Potgeter and Walsh; HF 1122, Winkelman, et al.; HF 1291, appropriations. (Same subject matter)
- Urge the calling of a conference on Iowa's development in the twenty-first century by the governor. HCR 134; H.J. 1125.
- That the governor arrange for a statewide comprehensive conference to be called the conference on Iowa in the twenty-first century. HCR 135; H.J. 1126.
- That the governor arrange for a statewide comprehensive conference on Iowa's future. SCR 130; S.J. 989, 1117 adopted; H.J. 1365 adopted.

GRADING—

(See Roads and Highways)

GRAIN—

(See Agriculture, sub-ref. Grain)

GRATUITIES—**General**

- Offer or acceptance of gratuities in business transactions, value of \$25 or more a violation. HF 1266, county government.

GUNS—

(See Firearms and/or Weapons)

HANDICAPPED—**General**

- Require council of social services prepare a list of all deaf, blind, and severely handicapped persons. SF 1030, county government.
- Construction of private and public buildings and facilities, accessible and functional for handicapped. HF 1121, Blouin.

- Allow telephone and telegraph companies to establish separate scales of rates and charges for persons 65 or older and handicapped—qualifications. SF 1112, Riley.
- Civil rights of physically and mentally handicapped persons. SF 1148, human and industrial relations.
- Handicapped persons entering any kind of institution or facility to obtain needed care or treatment retains legal settlement he had at the time he entered. HF 1212, Logemann, et al.

HEALTH—**General**

- Establishment, by cities and towns, of sanitary disposal projects, authorizing a tax, violations. HF 1183, Radl.
- Provide guidelines for adoption of administrative rules by conservation commission re water navigation regulations, etc., penalties. SF 1185, conservation and recreation.
- Committee to study feasibility of providing prepaid health care services to citizens of this state, submit report. SCR 117; S.J. 621, 652, 802, 1089.
- Health maintenance organizations, defines, authorize establishment. SF 1212, state government.
- Occupational safety and health, penalties, appropriation. SF 1218, human and industrial relations.
- Request proper notice and time be given for states and persons affected by the occupational safety and health act of 1970 to comply with the rules and regulations. SCR 127; S.J. 882, 1111, 1113-1116 adopted; H.J. 1378.

Department of

- Establish board of optometry, restructure operations, etc. of present board. HF 524, Freeman, et al.; SF 1154, Arbuckle, et al. Similar.
- Prohibit sale of any detergent containing any phosphorous compound. SF 459, Riley; HF 1022, Blouin. S.
- Protective eyeglass lenses, department of health adopt rules in conformance with federal rules, etc. SF 1052, Doderer et al.; HF 1104, social services. S.
- Emergency lighting system for use during a power failure, certain public places. HF 1064, Scott.
- Uniform minimum standards for plumbing, licensing, supervision and inspection, penalties. HF 1085, Nystrom.
- Establish a birth defects institute. SF 1122, Doderer and Anderson.
- Migratory labor camps, requirements, etc. HF 1221, Gluba.
- Inspection services by department of agriculture, preparation of rules and regulations for, etc. SF 1170, agriculture.
- Provide for a comprehensive program for treatment, education, and rehabilitation of alcoholics. SF 1173, Doderer.
- Establish a state county liaison board re county homes. SF 1190, county government.

Mental

- Continue study of the state mental health institutes, etc. under social services. HF 1297, appropriations.

HEARING—**General**

- Occupational hearing loss, workmen's compensation. SF 1215, human and industrial relations.

HIGHER EDUCATION FACILITIES—**(Also see Colleges, Universities and/or Schools)****General—**

- Student activity fees, universities, require list of purposes for. SF 1048, Messerly.
- Require board of regents to itemize student fees, permit student to elect which fees he will pay re services, etc. HF 1138, Schroeder.
- Permit students, after 1 year in residence at a state university, to take as much as 3 quarters of work at any other state university, same tuition and credits, etc. SF 1120, Conklin.
- Provide financial benefits for education of children of persons classified as prisoners of war or missing in action in Viet Nam. SF 1136, Rabedeaux.
- Tuition grants for veterans of Vietnam conflict. HF 1185, Freeman.
- Medical education and community orientation program, board of regents, appropriation. HF 1281, appropriations.

HIGHWAY COMMISSION—**(Also see Roads and Highways)****General**

- Urge highway commission to select Palo route for I-380. SCR 103; S.J. 48, 59.
- Create a department of transportation, appropriation. SF 1040, transportation; HF 1068, transportation. S.
- Acquisition of right-of-way necessary to construct 2-lane highway between 180 and Cedar Rapids by highway commission. HF 1054, Kennedy.

- Provide overtime pay for highway commission employees. SF 1060, Van Drie et al.; HF 1076, Nyström.
- Ombudsman for highway commission. SF 1094, Van Drie.
- Establish a highway construction fund, construction and reconstruction of state and interstate controlled-access highways, issuance of bonds, etc. SF 1146, Shawver.
- Establish a state highway commission employee representative, employee related matters, merit system. SF 1153, Van Drie.
- Sale of unused right of way property acquired by highway commission. HF 1226, Trowbridge.
- Transfer of authority and responsibility re certain motor vehicles as to weight, permits, inspection, etc., from highway commission and commerce commission to public safety. SF 1175, Kennedy and Gaudineer.
- Method of selection, term of office of members of highway commission and the chief engineer. HF 1252, Taylor.
- Recommend purchase of disability income protection and life insurance protection for highway commission employees. HCR 122; H.J. 900.
- Recommend purchase of disability income protection and life insurance protection for highway commission employees. SCR 118; S.J. 651.
- Designated capital improvement programs, highway commission, appropriation. SF 1201, appropriations; HF 1293, appropriations.
- Urge executive council adopt the practice of paying highway commission employees every two weeks on Wednesday. HCR 125; H.J. 992.
- General Assembly urges that the president of the organization of Iowa highway commission employees be allowed reasonable working time to carry out his duties and be given office facilities, etc. SCR 124; S.J. 359, 1153-1155 adopted, 1171-1172 failed.
- General Assembly urges that the president of the organization of Iowa highway commission employees be allowed reasonable working time to carry out his duties and be given office facilities, etc. HCR 129; H.J. 1073.

HIGHWAY SAFETY PATROL—
(Also see Public Safety)

General

- Salary increases for highway patrol offices, appropriate from primary road fund. HF 1092, Doyle, et al.

HIGHWAYS—

(See Roads and Highways)

HISTORICAL SOCIETY—

General

- Alterations and repairs to capitol building, capitol planning commission and special committee. SF 1017, Messerly and Conklin; HF 1043, Alt; HF 1063, Lipsky, et al. (Same subject matter)

HISTORY AND ARCHIVES—

General

- Alterations and repairs to capitol building, capitol planning commission and special committee. SF 1017, Messerly and Conklin; HF 1043, Alt; HF 1063, Lipsky, et al. (Same subject matter)

HOLIDAYS—

General

- Legal holidays for state employees. SF 1056, Van Drie, et al.

HOMES—

County

- Establish a state county liaison board re county homes. SF 1190, county government.

HOMESTEAD CREDIT—

General

- Homestead tax credit for persons 65 or over, or totally disabled, penalties. HF 536, Gluba, et al.; HF 1155, Blouin, et al.; HF 1243, Gluba and Small. S.

HOSPITALS—

General

- Expand use of ambulance services at university hospital. SF 1178, social services; HF 1253, social services.

HUMAN RIGHTS—

General

- Establish a commission on status of women. HF 1140, Shaw, et al.; SF 1211, judiciary.
- Civil rights of physically and mentally handicapped persons. SF 1148, human and industrial relations.

HUNTING—**General**

- Issuance of special deer hunting licenses to spouse of landowners and tenants, etc. SF 218, Potgeter; HF 1003, Andersen; SF 1037, Anderson; HF 1065, Middleswart; HF 1096, Campbell. (Same subject matter)
- Disposition of obsolete copies of hunting, fishing and trapping licenses. SF 1007, county government; HF 1015, county government.
- Hunting of migratory game birds, issuance of stamps, collection of fees, penalties, etc. HF 1207, conservation and recreation; SF 1179, conservation and recreation; HF 1019, Kelly and Hansen, similar.
- Drawing to determine number of persons receiving deer hunting licenses, preference to owners. SF 1095, conservation and recreation.
- Prohibit establishing an open season for hunting of birds and animals with a firearm during open season for deer. HF 1150, Wycokoff.
- Deer-hunting licenses. HF 1235, conservation and recreation. (HF 1003, HF 1065, HF 1096, HF 1150, SF 218, SF 335, SF 431, SF 1037, and SF 1095—these bills combined and/or singularly contain same and similar subject matter as HF 1235)
- Provide required statutory guidelines for adoption of administrative rules by conservation commission, penalty. SF 1172, conservation and recreation.

Licenses

(See Licenses, sub-ref. Hunting)

IDENTIFICATION—**General**

- Identification cards for persons 60 years of age or older. HF 143, Stokes and Strand; SF 139, Sullivan and Van Gilst; HF 1058, Stokes, et al.; SF 1047, Van Gilst, et al. (Same subject matter)
- Require report of the disposition of all persons whose arrest has been reported to criminal investigation and bureau of identification. HF 1169, law enforcement.
- Prohibit age discrimination in employment—persons 65 or older may obtain identification cards, and also may use school buses and lunch facilities if. SF 1164, Walsh. (HF 64 and SF 274 comp.; SF 81 and HF 427 comp.; SF 82 and HF 107 comp.; HF 143 and SF 139 comp.; HF 1058 and SF 1047 comp. These bills combined contain same and similar subject matter as SF 1164)

IMPLIED CONSENT—**General**

- Requests for withdrawal of body substances under the implied consent law may be oral unless requested written. HF 639, Schmeiser; HF 1274, law enforcement. Similar subject matter.

INCOME TAX—

(See Taxes, sub-ref. Income)

INDUSTRIAL COMMISSION—**General**

- Establish a workmen's compensation court. SF 1137, Kennedy; HF 1236, Shaw and Knoke.

INDUSTRY—**General**

- City or town may support medical facilities. HF 1222, Winkelman.
- Provide for assessment of penalties and interest on delinquent payment of tax equivalent on industrial projects, cities and towns. SF 1184, ways and means.

INHERITANCE TAX—

(See Taxes, sub-ref. Inheritance)

INJUNCTIONS—

(See Court, all sub-refs. and/or Judiciary)

INSPECTIONS—**General**

- Amusement rides, etc., safety inspection and regulation of. HF 1001, human and industrial relations.
- Inspection services by department of agriculture, preparation of rules and regulations for, etc. SF 1170, agriculture.
- Transfer of authority and responsibility re certain motor vehicles as to weight, permits, inspection, etc., from highway commission and commerce commission to public safety. SF 1175, Kennedy and Gaudineer.
- Extend time within which a motor vehicle failing inspection must be repaired, require inspection upon transfer, lengthen that period, and permit regrooving of specially designed tires. HF 1258, transportation.

INSTITUTIONS—

(See Penal Institutions; Health, sub-ref. Mental, and Hospitals, sub-ref. Mental)

INSURANCE—

General

- Restrict application of the Iowa insurance guaranty association act to non-life companies and reciprocal or interinsurance exchanges, annual or special meetings, etc. HF 1089, Fischer of Grundy; SF 1086, Griffin.
- Insurance companies insuring against loss from liability, motor vehicle accidents, must offer additional first party benefits, etc. HF 1094, Kelly.
- Licensing of insurance consultants, penalties. SF 1064, Kennedy.
- No fault automobile insurance. HF 1105, Kinley.
- Compensation for motor vehicle accident victims, no fault. SF 1068, Griffin, et al.
- Annual report of insurance commissioner, change date for. HF 1117, commerce.
- Exempt class 'B' beer permittees selling beer for consumption off premises only from requirement of dram shop insurance or bond. HF 1126, Blouin.
- Annual certificate of authority of insurance companies, extend review time. HF 1128, commerce.
- Unfair trade practices in insurance, penalties. HF 1141, Ellsworth, et al.; SF 1099, Griffin.
- Regulation of premium rates for credit life and credit accident and health insurance. HF 1151, Ellsworth; SF 1157, Potgeter. (HF 676 similar subject matter)
- Renewal of automobile insurance, known information. HF 1162, Hansen, et al.
- Taxation of marine insurance underwriting profits. HF 1165, Ellsworth.
- Registration requirements, dealers and salesman, securities, etc., cease and desist orders, public information, penalties. HF 1194, Freeman, et al.
- Powers of the commissioner of insurance. HF 1211, Freeman.
- Either county mutual insurance associations or their agents send required notice to policyholders before premiums due. HF 1216, Hansen.
- Recommend purchase of disability income protection and life insurance protection for highway commission employees. HCR 122; H.J. 900.
- Recommend purchase of disability income protection and life insurance protection for highway commission employees. SCR 118; S.J. 651.
- Recommend purchase of disability income protection and life insurance protection for all state employees. HCR 123; H.J. 936, 1027 adopted; S.J. 799, 818 adopted.

Life

- State participation in group life insurance programs for state employees. SF 1138, Van Drie; HF 1188, Nystrom. (Very similar)

INTEREST—

General

- Rate of interest on public utility refunds to customers. SF 1013, commerce; HF 1053, commerce. S.
- Rate of interest assessed as a penalty on mobile home taxes. HF 1020, Monroe.

INTERSTATE—

General

- Registration of a motor carrier's interstate transportation service, penalized if not registered with commerce commission. HF 1087, commerce.
- Taxation of income from interstate commerce, exemptions. SF 1103, Curran, et al.; HF 1166, Lawson, et al.

INTERSTATE COOPERATION—

General

- Taxation of income from interstate commerce, exemptions. SF 1103, Curran, et al.; HF 1166, Lawson, et al.

INTOXICATION—

(Also see Alcoholic Beverages and/or Law Enforcement and/or Courts)

General

- Operating a motor vehicle while intoxicated, penalties. SF 1114, Riley. (SF 178 and HF 241 contain similar subsection; HF 1082 similar subject matter)

INVENTORIES—

General

- Inventories, merchants and manufacturers, alternate method for determining taxable values. SF 1044, Riley.

IOWA DEVELOPMENT—

General

- Authorize cities and towns to issue revenue bonds in connection with pollution control. SF 1158, Iowa development; HF 1239, Lawson.

- Urge the calling of a conference on Iowa's development in the twenty-first century by the Governor. HCR 134; H.J. 1125.
- That the Governor arrange for a statewide comprehensive conference to be called the conference on Iowa in the twenty-first century. HCR 135; H.J. 1126.
- That the Governor arrange for a statewide comprehensive conference on Iowa's future. SCR 130; S.J. 989, 1117 adopted; H.J. 1365 adopted.

IOWA WORLD FOOD EXPOSITION AUTHORITY—

General

- Create an Iowa world exposition authority to plan and establish an Iowa food exposition, etc. HF 1156, Iowa development; SF 1143, Iowa development. Similar.
- Appropriation to the Iowa world exposition authority. HF 1294, appropriations.

IOWA WORLD FOOD EXPOSITION—

General

- Create an Iowa world exposition authority to plan and establish an Iowa world food exposition, etc. HF 1156, Iowa development; S.F. 1143, Iowa development. Similar.
- Motor vehicle registration plates, display symbol. HF 1193, Iowa development.

IPERS—

General

- Contribution ceiling under IPERS. HF 95, Mendenhall; SF 343, Riley, et al.; HF 1135, Andersen; SF 1100, Doderer. (Similar subject matter)
- Increase per diem pay for appointive members of advisory investment board of IPERS, also change retirement dates and benefits. HF 1046, Andersen; SF 1067, Griffin. (SF 455, HF 1093, SF 1109 and HF 1145 similar subject matter)
- Increase salary ceiling for contributions to IPERS. HF 1145, Mendenhall. (SF 455, SF 1067, HF 1046, HF 1093 and SF 1109 similar subject matter)
- Shorten number of years employment for receiving IPERS, etc. HF 1093, Dunton, et al.; SF 1109, Rhodes, et al. (SF 455, SF 1067, HF 1046 and HF 1145 similar subject matter)
- Cost-of-living adjustments after retirement under IPERS. SF 1209, Anderson and Arbuckle.

JUDGMENTS—

General

- Eminent domain, condemnation, notices of appeal, lienholders, award of damages, etc. HF 229, Dunton; SF 1038, Van Gilst.

JUDGES—

General

- Provide each judge in Iowa with an additional copy of the Code and other documents. SF 1051, Riley.
- Judicial redistricting and judicial nominating commissions. HF 1161, Rodgers, et al.; SF 1126, Rhodes, et al.
- Provide for an additional municipal judge to handle alcohol related cases, federal funds. HF 1187, Doyle, et al.

JUDICIARY—

(Also see Courts, all sub-refs.)

General

- Issuance of new birth certificates for persons born outside the U.S. and adopted in Iowa. SF 354, DeKoster and Potgeter; HF 1039, Clark.
- Dissolution of marriage, support, etc. HF 405, Doyle, et al.; HF 1275, judiciary, similar subject matter; contains some of the same sections.
- Actions for injuries or damages caused by the operation of a motor boat. HF 1005, Fisher of Greene; SF 1026, Arbuckle.
- Grounds for refusal to register motor vehicles. HF 1007, Kreamer; SF 1032, Milligan.
- Increase expert witness fees. SF 1015, judiciary.
- Eliminate payment of a portion of the fines in antitrust suits to county attorneys and the attorney general. HF 1030, Blouin; SF 1028, judiciary; HF 1037, judiciary. S. (HF 1030 similar)
- Free property owners and others from civil liability in case of injury to trespassers. HF 1031, Winkelman, et al.; SF 1020, Graham, et al.
- Violation of the Iowa commercial feed law of 1964 a misdemeanor, penalty. SF 1019, judiciary.
- Endurance contests or marathons, repeal prohibition against. HF 1038, Clark.
- Time served on parole will count against prisoners sentence, even if revoked. HF 1042, Kelly, et al.; SF 1065, Kennedy, et al.
- Forfeiture of real estate contracts, vendee also pay cost of preparation. HF 1051, Kelly.

- State or its political subdivisions not liable re use of snowmobiles in road ditches, etc. HF 1055, Scott, et al.
- State of the judicial department message by chief justice of supreme court. HF 1069, Kelly.
- Exceptions to time limits during which certain civil actions must be brought. SF 1057, Van Drie; HF 1086, Egenes.
- State reciprocity in enforcement of support decrees, etc. HF 1073, Schwieger; HF 1287, judiciary. Similar.
- Provide for the court in neglected, dependent, etc. child cases to have access to school records, etc. HF 1088, Dunton.
- Confidential communications and the press. HF 1118, Kelly.
- Exemptions from inheritance tax, brother or sister. HF 1119, Blouin.
- Designation of the General Assembly and acts thereof, numbering, etc. SF 1087, judiciary.
- Change classification of claims, for public assistance, against estates, mentally ill. SF 1088, judiciary.
- Grand jury panel may be drawn before last Monday in December. SF 1089, judiciary.
- State responsible for damage caused by negligent or wrongful acts of its wards under age 18. HF 1158, Husak.
- Judicial redistricting and judicial nominating commissions. HF 1161, Rodgers, et al.; SF 1126, Rhodes, et al.
- Municipal tort liability; includes employees, offices, school board members, etc., notices. SF 1133, DeKoster.
- Inheritance taxes, provide for the passing of property held jointly or as tenants in entirety, also marital deduction. SF 1124, Conklin. (HF 1119 similar subject matter)
- Correct erroneous, inconsistent, and obsolete sections of the Code, including some penalty sections. SF 1132, judiciary.
- Provide for an additional municipal judge to handle alcohol related cases, federal funds. HF 1187, Doyle, et al.
- Malicious damage to property, penalties. HF 1191, Blouin.
- Condemnation appeals, party appealing shall have the burden of proof. HF 1198, judiciary.
- Person found guilty of a crime can not deny act in a civil action for damages. HF 1202, Strothman.
- Correct erroneous and obsolete references in the Code. HF 1203, judiciary.
- Provide that motor vehicle accident reports are inadmissible in evidence. HF 1205, Kreamer.
- Exemptions from execution, debtors, and providing penalties. SF 1180, judiciary; HF 1260, judiciary. Similar.
- Repeal guest statute re liability of an owner or operator of a motor vehicle. HF 1263, judiciary.
- Reduce time when certain court records may be destroyed. HF 1271, judiciary.
- Service of notice; increase value of property surviving spouse may take; prior will of remarried couple, reinstated; estates, equitable relief, separate action; appointment of guardians or conservators for those incapable of caring for themselves; and disclaimer in intestate estates, etc. SF 1194, judiciary.

JURIES—

General

- Grand jury panel may be drawn before last Monday in December. SF 1089, judiciary.
- Drawing of grand jurors, counties having less than 12 election precincts. SF 1195, county government.

JUSTICES OF THE PEACE—

(See Officers)

JUVENILES—

(See Minors)

LABELING—

General

- Placing of permit numbers on containers of agricultural seeds. HF 1078, Pierson.

LABOR—

(Also see Migrant Laborers)

General

- Allows persons 14 and 15 years to work in certain occupations, badge no longer required, etc. HF 171, Drake, et al. (SF 1128 similar subject matter)
- Lawful picketing in labor disputes, trespass law does not prohibit. SF 1077, Walsh.
- Define part-time work for child labor in agriculture as less than 20 hours per week. SF 1093, Gaudineer.
- Allows persons 14 and 15 to work in certain occupations, badge no longer required, also certain occupations approved by labor commissioner, juvenile court judge and superintendent of schools. SF 1128, Gaudineer. (HF 171 similar subject matter)

Occupational safety and health, penalties, appropriation. SF 1218, human and industrial relations.

Bureau

Amusement rides, etc., safety inspection and regulation of. HF 1001, human and industrial relations.

LAKES—

(See Water)

LAND—

(Also see Property and/or Real Estate)

General

Flood and erosion control, all taxable property outside of incorporated cities to be taxed. SF 1043, Briles; HF 1072, Pellett.

Establish land preserves, etc. HF 1195, Winkelman.

Permit cities and towns, by ordinance, to require platting. SF 1161, Riley.

Sale of unused right of way property acquired by highway commission. HF 1226, Trowbridge.

Urban renewal projects and bonds. HF 1257, ways and means; SF 1186, ways and means.

LAW ENFORCEMENT—

General

Additional penalties for commission of, or attempt to commit crimes when armed with firearms. HF 280, Fischer of Grundy; SF 1066, law enforcement. (Same subject matter)

Eliminate prescribed form by public safety re odometer mileage statements. HF 1004, Monroe.

Vending machines, breaking and entering of. HF 1006, Doyle.

Special liquor control license for sale of wine only for commercial establishments, principal business is sale of food. HF 1017, Rodgers.

Issuance of special motor vehicle registration plates, drivers license mandatorily revoked. HF 1018, Kelly.

Mandatory revocation of the drivers license of persons convicted of possession of drugs, etc., in a motor vehicle. HF 1029, Doyle.

Eliminate state-owned liquor stores. HF 1050, Blouin, et al.

Furloughs and work release programs for inmates. SF 1041, Glenn, et al.

Private sale, control, and distribution of wine, penalties. HF 1056, Trowbridge, et al.; SF 1073, Walsh, et al.; HF 1276, ways and means, very similar.

Use of snowmobiles on railroad rights-of-way. HF 1057, law enforcement.

Provide pamphlet on laws re alcoholic beverages, distribute to all high schools. HF 1066, Rodgers.

Provide course for persons convicted of operating a motor vehicle while under the influence of an alcoholic beverage, suspension of drivers licenses, fees, penalties. HF 1082, Lipsky and Christensen.

Hours during which alcoholic liquors and beer may be sold. HF 1102, Gluba, et al.; SF 1078, Walsh. Similar subject matter. (HF 345, HF 685 and SF 169 contain similar subsections)

Provide for police reserve units in cities with populations over 5,000. SF 1107, Griffin; HF 1179, Knoke.

Operating a motor vehicle while intoxicated, penalties. SF 1114, Riley. (SF 178 and HF 241 contain similar subsection; HF 1082 similar subject matter)

Require report of the disposition of all persons whose arrest has been reported to criminal investigation and bureau of identification. HF 1169, law enforcement.

Malicious damage to property, penalties. HF 1191, Blouin.

Civil liability for criminal acts, restitution to victims of crimes. HF 1201, Strothman.

Increase dollar amount necessary for the commission of a felony. HF 1254, law enforcement.

Child care facilities, motels, and apartment houses subject to rules and regulations of the fire marshal. HF 1261, law enforcement.

Restriction and suspension of drivers licenses must be under departmental rules and regulations. HF 1262, law enforcement.

Transfer members of the division of fire protection of public safety to public safety peace officers' retirement accident and disability system. HF 1267, law enforcement.

Control of dangerous substances (medications) and the board of pharmacy, increase license fees. SF 1192, law enforcement.

Urge board of regents to investigate possibilities of establishing a college of criminal justice. HCR 121; H.J. 868, 964 adopted; S.J. 714, 1119 adopted.

Committee to study joint, coordinated, or pooled law enforcement by political subdivisions, submit report. HCR 124; H.J. 951.

Benefits under peace officers' retirement system, include accidental death benefits. SF 1210, law enforcement.

Requests for withdrawal of body substances under the implied consent law may be oral unless requested written. HF 639, Schmeiser; HF 1274, law enforcement. Similar subject matter.

Training Academy

Construction of a building at law-enforcement academy, appropriation. SF 1204, appropriation.

LAW LIBRARY—
(See Libraries)

LEAVES OF ABSENCE—
General

Leave of absence by reason of sickness or injury for state employees. SF 1160, Van Drie; HF 1232, Nystrom.

LEGAL ACTION—
(See Court, all sub-refs.)

LEGAL COUNSEL—
(See Attorneys)

LEGAL RIGHTS—
General

Statutory provisions affecting the legal treatment of female persons. HF 1114, Lipsky et al.; SF 1083, Doderer.

LEGALIZING AND ENABLING ACT—
General

Legalize and validate proceedings for the establishment, organization, etc., boundaries of the merged area school systems. SF 529, Walsh; HF 1101, Grassley. Similar.

Legalize proceedings of the united community school district in issuing school building bonds. SF 1055, Arbuckle; HF 1074, Nystrom.

Legalize indebtedness of Audubon county agricultural society, extend levy. HF 1071, Pellett.

Legalize proceedings of Stuart, Adair and Guthrie counties, award of a contract for construction of a sanitary sewer improvement project. HF 1075, Varley.

Legalize transfer of real property from Prairie community school district to Russell and Florence M. Jondle. SF 1110, judiciary.

LEGISLATIVE COUNCIL—
General

Additional and/or corrective duties and/or services the department of general services may, with or without approval of executive council and/or legislative council, provide. HF 1290, state government.

Resolutions calling for interim studies not adopted in both houses be delivered to the president pro tempore and speaker of the House and the legislative council determine priorities, etc. SCR 122; S.J. 800, 995 adopted; H.J. 1226, 1350 adopted.

LEGISLATIVE SERVICE BUREAU—
General

Create interim study committee on county statutes, appropriation. SJR 1004, Walsh.

Allow any citizen of Iowa to submit a proposed bill to the legislative service bureau. SF 1177, Riley.

LEGISLATURE—
(See General Assembly)

LIABILITY—
General

Tort liability due to acts or omissions of directors, officers, etc. of nonprofit corporations. HF 414, Kreamer; SF 1144, Van Gilst.

Free property owners and others from civil liability in case of injury to trespassers. HF 1031, Winkelman, et al.; SF 1020, Graham, et al.

Age for which liability for support is required, uniform support of dependents law. SF 1018, Gaudineer.

Insurance companies insuring against loss from liability, motor vehicle accidents, must offer additional first party benefits, etc. HF 1094, Kelly.

Compensation for motor vehicle accident victims, no fault. SF 1068, Griffin, et al.

Operation of snowmobiles on highway rights-of-way, governmental immunity. SF 1104, Curran; HF 1171, Lawson.

Municipal tort liability; includes employees, officers, school board members, etc., notices. SF 1133, DeKoster.

Civil liability for criminal acts, restitution to victims of crimes. HF 1201, Strothman.

Person found guilty of a crime can not deny act in a civil action for damages. HF 1202, Strothman.

Repeal guest statute re liability of an owner or operator of a motor vehicle. HF 1268, judiciary.

LIBRARIES—**General**

Increase the salary of the director of the traveling library. SF 1081, Doderer.
Increase salary of the director of the traveling library and members of commerce commission, 1972-73. SF 1205, appropriations.

LICENSES—**General**

Establish board of optometry, restructure operations, etc. of present board. HF 524, Freeman, et al.; SF 1154, Arbuckle, et al. Similar.
Vending machines, breaking and entering of. HF 1006, Doyle.
Uniform minimum standards for plumbing, licensing, supervision and inspection, penalties. HF 1085, Nystrom.
Licensing of insurance consultants, penalties. SF 1064, Kennedy.
Taxing and licensing of dogs by counties, repeal sections relating to. SF 1118, Potgeter and Walsh.
Regulate private trade, business, and correspondence schools, penalty. HF 1231, Kelly and Larson.
Transfer the licensing of vehicles from which food and dairy products are sold, increase fees. SF 1171, agriculture.
Establish a state county liaison board re county homes. SF 1190, county government.
Control of dangerous substances (medications) and the board of pharmacy, increase license fees. SF 1192, law enforcement.
Prohibit discrimination by licensing associations. SF 1208, judiciary.
Committee to study existing professional and occupational licensing boards, others that should be licensed, etc., submit report. HCR 126; H.J. 992, 1107, adopted; S.J. 879, 990.

Agriculture

Storage of agricultural products without receipts, single license for 2 or more warehouses if, bonded warehouses. HF 1272, commerce.

Drivers

Issuance of special motor vehicle registration plates, drivers license mandatorily revoked. HF 1018, Kelly.
Mandatory revocation of the drivers license of persons convicted of possession of drugs, etc. in a motor vehicle. HF 1029, Doyle.
Provide course for persons convicted of operating a motor vehicle while under the influence of an alcoholic beverage, suspension of drivers licenses, fees, penalties. HF 1082, Lipsky and Christensen.
Operating a motor vehicle while intoxicated, penalties. SF 1114, Riley. (SF 178 and HF 241 contain similar subsection; HF 1082 similar subject matter)
Restriction and suspension of drivers licenses must be under departmental rules and regulations. HF 1262, law enforcement.

Fees

Increase fees for duplicate broker's license and a new license. SF 1025, Thordsen.

Fish and Game

Disposition of obsolete copies of hunting, fishing and trapping licenses. SF 1007, county government; HF 1015, county government.
Persons 65 or older may obtain fishing license for fishing Mississippi and Missouri rivers for 50 cents per year. SF 1168, Walsh.

Hunting

Issuance of special deer hunting licenses to spouse of landowners and tenants, etc. SF 218, Potgeter; HF 1003, Andersen; SF 1037, Anderson; HF 1065, Middleswart; HF 1096, Campbell. (Same subject matter)
Disposition of obsolete copies of hunting, fishing and trapping licenses. SF 1007, county government; HF 1015, county government.
Hunting of migratory game birds, issuance of stamps, collection of fees, penalties, etc. HF 1207, conservation and recreation; SF 1179, conservation and recreation; HF 1019, Kelly and Hansen, similar.
Drawing to determine number of persons receiving deer hunting licenses, preference to owners. SF 1095, conservation and recreation.
Deer-hunting licenses. HF 1235, conservation and recreation. (HF 1003, HF 1065, HF 1096, HF 1150, SF 218, SF 385, SF 431, SF 1037, and SF 1095. These bills combined and/or singularly contain same and similar subject matter as HF 1235)

Liquor

Corrective amendments to the Iowa beer and liquor control act; fees, permits, licenses, locations, etc. HF 1133, state government.

Motor Vehicles

Motor vehicle registration plates, display symbol. HF 1193, Iowa development.

LIENS—**General**

Liens on real estate owned by old age assistance recipients. HF 80, Christensen; SF 1131, Riley and Van Gilst.
Liens imposed on real estate owned by persons, or persons responsible for, receiving care at county expense shall not be subject to the limitation of actions. HF 1224, Winkelman and Rex.

LIEUTENANT GOVERNOR—

General

Age qualification of the governor, lieutenant governor, and members of the General Assembly. HJR 1003, Ewell, et al.

LIGHTS—

(Also see Advertising)

General

Emergency lighting system for use during a power failure, certain public places. HF 1064, Scott.

LIQUIDS—

General

Regulation of liquid transport carriers. HF 1033, commerce.

LIQUOR—

(See Alcoholic Beverages)

LIQUOR CONTROL COMMISSION—

General

Facilities required of class "B" beer permit holders, etc. SF 1034, Potgeter.
 Eliminate state-owned liquor stores. HF 1050, Blouin, et al.
 Provide a second liquor store in Dubuque, appropriation. HF 1131, Ellsworth;
 SF 1167, Walsh.
 Corrective amendments to the Iowa beer and liquor control act; fees, permits, licenses, locations, etc. HF 1133, state government.
 Setting of minimum prices for retail sales of beer. HF 1149, Blouin.
 Provide a standing appropriation to commission on alcoholism from liquor profits. HF 1208, Uban, et al.
 Provide that 10 percent of the gross sales of liquor stores be distributed to cities and towns; 1 percent to counties. HF 1241, Gluba, et al.
 Extend for an additional year funds appropriated for implementing an inventory and accounting system by liquor control commission. S.F. 1181, appropriations.

LIVESTOCK—

(See Animals)

LOAN COMPANIES—

(Also see Savings and Loan)

LOANS—

General

Bank holding companies, bank offices, etc., re loans, fees paid, etc. SF 1008, Brownlee, et al.; HF 1112, Fischer of Grundy; HF 100, Sorg, et al.; SF 341, Griffin. (Similar subject matter)
 Lending and investing powers of savings and loan associations, mobile homes, etc. HF 1047, Alt.
 Merged areas may borrow money in anticipation of collection of a voted tax. SF 1059, Gross; HF 1095, Waugh, et al.
 Eliminate time limits and dollar amount limits on installment loans by banks. HF 1143, Freeman.

LOBBYISTS—

General

Require lobbying expense be added back into income before computation of personal and corporate income tax. SF 1022, Glenn.

MANUFACTURING—

General

Inventories, merchants and manufacturers, alternate method for determining taxable values. SF 1044, Riley.

MARATHONS—

General

Endurance contests or marathons, repeal prohibition against. HF 1038, Clark.

MARIJUANA—

(See Narcotics and/or Drugs)

MARKETING—

General

That the federal government be directed to institute a study of present price-grading system for grain and oil seeds in the U.S.; establish a new base for determining market price. HCR 111; H.J. 496, 1037 adopted; S.J. 799, 1058 adopted.

MARRIAGE—

General

Dissolution of marriage, support, etc. HF 405, Doyle, et al.; HF 1275, judiciary, similar subject matter; contains some of the same sections.
 Support payments, if not paid, contempt of court. SF 1003, county government; HF 1013, county government.

MEAT AND POULTRY—
(See Foods)

MEDICAL—PROFESSIONAL—

General

- Remove prohibition against the sale or distribution of contraceptive products. SF 1076, Doderer, et al.
 Establish a birth defects institute. SF 1122, Doderer and Anderson.
 Permit pharmacists to allow customers to choose between prescription drugs of same value, but different prices. SF 1129, Gaudineer.
 Postmortem examinations. HF 1200, social services.
 City or town may support medical facilities. HF 1222, Winkelman.
 Establish a rural physicians associate program, scholarships, appropriation. HF 1234, Winkelman.
 Medical education and community orientation program, board of regents, appropriation. HF 1281, appropriations.
 Funding the physicians' assistants program, appropriation. HF 1282, appropriations.
 Establish regional medical educational facilities by board of regents. SF 1193, social services.
 Health maintenance organizations, defines, authorize establishment. SF 1212, state government.
Optometry
 Establish board of optometry, restructure operations, etc. of present board. HF 524, Freeman, et al.; SF 1154, Arbuckle, et al. similar.
 Protective eyeglass lenses, department of health adopt rules in conformance with federal rules, etc. SF 1052, Doderer et al.; HF 1104, social services. S.
 Occupational hearing loss, workmen's compensation. SF 1215, human and industrial relations.

MEDICAL EXAMINERS—

General

- Funding the physicians' assistants program, appropriation. HF 1282, appropriations.

MENTAL HEALTH—

(See Health, sub-ref. Mental)

MERIT SYSTEM—

General

- Remove requirement executive council approve merit system classification and pay plan. HF 1049, Gluba.
 Adjust pay of state employees under merit system according to changes in consumer price index. HF 1070, Nystrom; SF 1072, Van Drie.
 Rehiring of former and transfers of state employees. HF 1144, Hansen.
 Establish a state highway commission employee representative, employee related matters, merit system. SF 1153, Van Drie.
 Funding merit system pay plan, appropriation. HF 1214, appropriations.

MIGRANT LABORS—

General

- Migratory labor camps, requirements, etc. HF 1221, Gluba.

MILEAGE—

General

- Maximum amount of mileage compensation paid county supervisors. HF 474, Dunton; HF 1129, county government. (Similar subject matter)
 Eliminate prescribed form by public safety re odometer mileage statements. HF 1004, Monroe.

MILITARY—

General

- Free copy of an individual's military record furnished for perfecting any claim. SF 1005, county government.
 First \$6,000 of retirement pay or disability benefits received by a former member of the armed forces may be excluded before tax is computed. SF 1012, Riley.
 That the executive council shall have published the names and dates of the men captured or missing in Vietnam and that flags over state buildings shall be flown at half mast upon the anniversary of those dates. SCR 114; S.J. 508, 632-634 adopted; H.J. 912-913 adopted.
 Public defense, appropriation for various capital improvements. SF 1203, appropriations.

MILITARY AFFAIRS—

(See Military)

MINORS—

General

- Allows persons 14 and 15 years to work in certain occupations, badge no longer required, etc. HF 171, Drake, et al. (SF 1128 similar subject matter)

Issuance of new birth certificates for persons born outside the U.S. and adopted in Iowa. SF 354, DeKoster and Potgeter; HF 1039, Clark.

Support payments, if not paid, contempt of court. SF 1003, county government; HF 1013, county government.

Age for which liability for support is required, uniform support of dependents law. SF 1018, Gaudineer.

School districts may provide nursery school programs for certain children. SF 1058, Riley; HF 1079, Lipsky.

Provide for the court in neglected, dependent, etc. child cases to have access to school records, etc. HF 1088, Dunton.

Define part-time work for child labor in agriculture as less than 20 hours per week. SF 1093, Gaudineer.

State responsible for damage caused by negligent or wrongful acts of its wards under age 18. HF 1158, Husak.

Allows persons 14 and 15 to work in certain occupations, badge no longer required, also certain occupations approved by labor commissioner, juvenile court judge and superintendent of schools. SF 1128, Gaudineer. (HF 171 similar subject matter)

Clarify legal settlement of minor children residing in institutions. HF 1199, social services.

Continue study of the state mental health institutes, etc. under social services. HF 1297, appropriations.

MISDEMEANORS—**General**

Violation of the Iowa commercial feed law of 1964 a misdemeanor, penalty. SF 1019, judiciary.

Advertisement of "X" rated motion pictures, penalties. SF 1029, Hill.

Registration of a motor carrier's interstate transportation service, penalized if not registered with commerce commission. HF 1087, commerce.

Registration and titling of motorcycles, penalties. HF 1097, Doyle, et al.

Publishing of names of persons receiving public aid, penalties. SF 1156, Tapscott; HF 1263, county government. Similar subject matter.

Increase dollar amount necessary for the commission of a felony. HF 1254, law enforcement.

MOBILE HOMES—**General**

Rate of interest assessed as a penalty on mobile home taxes. HF 1020, Monroe.

Sale of mobile homes on Sundays. HF 1028, Sorg and Tleden; SF 1049, Riley and Balloun.

Lending and investing powers of savings and loan associations, mobile homes, etc. HF 1047, Alt.

MORTGAGES—**General**

Disposition of obsolete instruments in the county recorder's office. SF 1006, county government; HF 1014, county government.

MOTION PICTURES—**General**

Advertisement of "X" rated motion pictures, penalties. SF 1029, Hill.

MOTOR VEHICLES—**(Also see Transportation)****General**

Requests for withdrawal of body substances under the implied consent law may be oral unless requested written. HF 639, Schmeiser; HF 1274, law enforcement. Similar subject matter.

Eliminate prescribed form by public safety re odometer mileage statements. HF 1004, Monroe.

Width of vehicles, exclude safety devices used to secure loads. HF 1021, Bennett; HF 1264, transportation.

Provide course for persons convicted of operating a motor vehicle while under the influence of an alcoholic beverage, suspension of drivers licenses, fees, penalties. HF 1082, Lipsky and Christensen.

No fault automobile insurance. HF 1105, Kinley.

Compensation for motor vehicle accident victims, no fault. SF 1068, Griffin, et al.

Operating a motor vehicle while intoxicated, penalties. SF 1114, Riley. (SF 178 and HF 241 contain similar subsection; HF 1082 similar subject matter)

Renewal of automobile insurance, known information. HF 1162, Hansen, et al.

Motor vehicle registration reciprocity. SF 1147, Anderson.

Authorize shuttle carrier service without a certificate of public convenience and necessity. SF 1152, Van Drie; HF 1230, Egenes.

Posting of signs near intersections where passing of motor vehicles is prohibited. HF 1227, Shaw.

Transfer of authority and responsibility re certain motor vehicles as to weight, permits, inspection, etc., from highway commission and commerce commission to public safety. SF 1175, Kennedy and Gaudineer.

Repeal guest statute re liability of an owner or operator of a motor vehicle. HF 1268, judiciary.
 Committee to study motor vehicle laws of Iowa comparing with the uniform vehicle code. SCR 128; S.J. 883, 990.

Ambulances

Expand use of ambulance services at University Hospital. SF 1178, social services; HF 1253, social services.

Buses

(Also see Schools, sub-ref. Buses)

Require passenger restraining devices in school buses, penalty. SF 1162, Nicholson; HF 1244, Gluba.

Inspection

Extend time within which a motor vehicle failing inspection must be repaired, require inspection upon transfer, lengthen that period, and permit re-grooving of specially designed tires. HF 1258, transportation.

Licenses

(See Licenses, sub-ref. Motor Vehicles)

Motorcycles

Registration and titling of motorcycles, penalties. HF 1097, Doyle, et al.
 Commissioner of public safety rescind rules and regulations re safety equipment for motorcyclists. HCR 43; H.J. 2037, 2075 adopted; S.J. 1904—Second Regular Session; S.J. 710 adopted.

Registration

Grounds for refusal to register motor vehicles. HF 1007, Kreamer; SF 1032, Milligan.

Issuance of special motor vehicle registration plates, drivers license mandatorily revoked. HF 1018, Kelly.

Motor vehicle registration fees, county treasurer retain. SF 1023, county government.

Registration and titling of motorcycles, penalties. HF 1097, Doyle, et al.
 Restricted certificate of title for motor vehicles damaged or inoperable. HF 1113, transportation.

Motor vehicle registration plates, display symbol. HF 1193, Iowa development.
 Registration fees on motor vehicles be based on value. SF 1150, county government.

Distribution of motor vehicle registration fees by county treasurers. HF 1255, Holden.

Extend time for use of motor vehicle "registration applied for" cards. HF 1259, transportation.

Snowmobiles

State or its political subdivisions not liable re use of snowmobiles in road ditches, etc. HF 1055, Scott, et al.

Use of snowmobiles on railroad rights-of-way. HF 1057, law enforcement.
 Operation of snowmobiles on highway rights-of-way, governmental immunity. SF 1104, Curran; HF 1171, Lawson.

Issuance of special registration certificates to snowmobile dealers and manufacturers, etc., fees. HF 1192, Stromer.

Trucks

Regulation of liquid transport carriers. HF 1033, commerce.

MOTORCYCLES—

(See Motor Vehicles, sub-ref. Motorcycles)

MUNICIPAL CORPORATIONS—

(See Cities and Towns, all sub-refs.)

MUNICIPAL COURT—

(See Courts, sub-ref. Municipal)

NAMES—

General

Changing of names by individuals. SF 202, county government.
 Publishing of names of persons receiving public aid, penalties. SF 1156, Tapscott; HF 1263, county government. Similar subject matter.

NARCOTICS—

(Also see Drugs and/or Medical; Professional and/or Pharmacy)

General

Commitment of alcohol and drug addicts, also private facilities. SF 1090, county government.

NATIONAL GUARD—

(See Military)

NEWSPAPERS—

(See Printing—Publishing)

NOTICES—

General

Reversion of unclaimed postal savings system accounts to the award of damages, etc. HF 229, Dunton; SF 1038, Van Gilst.

Publication of notice within a county by highway commission prior to commencement of construction or improvements on a highway. HF 1026, Fischer of Grundy.
 Eminent domain, condemnation, notices of appeal, lienholders, award of damages, etc. SF 1038, Van Gilst.
 Notice of termination of farm tenancies. HF 1103, Logemann.
 Tax assessment procedures. SF 1096, ways and means.
 Prohibit publication of official notices in newspapers having paid circulation of more than 100,000. HF 1157, Fischer of Grundy.
 Either county mutual insurance associations or their agents send required notice to policyholders before premiums due. HF 1216, Hansen.

OFFICERS—
 (Also see Police)

General

Requests for withdrawal of body substances under the implied consent law may be oral unless requested written. HF 639, Schmeiser; HF 1274, law enforcement. Similar subject matter.
 Change method of determining retirement compensation for peace officers, also lower voluntary retirement age. HF 1153, Doyle, et al.
 Benefits under peace officers' retirement system, include accidental death benefits. SF 1210, law enforcement.

OLD-AGE ASSISTANCE—

General

Computation of old age assistance grants, appropriation. SF 42, Conklin; SF 1141, Riley and Van Gilst. Similar.
 Liens on real estate owned by old age assistance recipients. HF 80, Christensen; SF 1131, Riley and Van Gilst.
 Recovery of old age assistance payments, delete certain provision of Code. SF 1115, Riley and Van Gilst.
 Collection of support payments for welfare recipients, state pay share to counties. HF 1164, Camp.
 Old-age assistance and transfer of real property. HF 1134, Knoke.
 Old-age assistance recipients may reside in a county home which qualifies as a skilled nursing home. HF 1249, social services.

OLD-AGE AND SURVIVORS INSURANCE SYSTEM—

General

Additional benefits to persons eligible to receive old-age and survivors' insurance, appropriation. SF 1130, Van Gilst.

OMBUDSMAN—

General

Establish an office of citizens' aide, penalties, appropriation. SF 288, Potgeter and Walsh; HF 1122, Winkelman, et al.; HF 1291 appropriations. (Same subject matter)
 Ombudsman for highway commission. SF 1094, Van Drie.

OPTOMETRY—

(See Medical—Professional, sub-ref. Optometry)

PACKAGING—

General

Packaged meat and poultry must have date of packaging stamped on label, penalties. HF 1040, Kinley.

PARKING METERS—

General

Use of funds received from parking meters. SF 1071, cities and towns.

PARKS—

General

Establish land preserves, etc. HF 1195, Winkelman.
 Provide required statutory guidelines for adoption of administrative rules by conservation commission, penalty. SF 1172, conservation and recreation.
 Increase allocation for construction of state institutional and park roads. HF 1292, appropriations.

PAROLE—

(See Social Services, sub-ref. Parole, Board of)

PEACE OFFICERS—

(See Officers and/or Police)

PENAL INSTITUTIONS—

General

Committee to study the women's correctional system in Iowa. HCR 103; H.J. 50, 775-777 adopted; S.J. 569, 572, 836.
 Board of parole employ executive secretary, etc. SF 1042, Lamborn, et al.
 Establish office of penal and correctional complaints. HF 1229, Small, et al.

Prisoners

Time served on parole will count against prisoners sentence, even if revoked. HF 1042, Kelly, et al.; SF 1065, Kennedy, et al.
Furloughs and work release programs for inmates. SF 1041, Glenn, et al.

PENSIONS—

(See Retirement Systems)

PERMITS—**General**

Facilities required of class "B" beer permit holders, etc. SF 1034, Potgeter.
Private sale, control, and distribution of wine, penalties. HF 1056, Trowbridge, et al.; SF 1073, Walsh, et al.; HF 1276, ways and means, very similar.
Placing of permit numbers on containers of agricultural seeds. HF 1078, Pierson.
Uniform minimum standards for plumbing, licensing, supervision and inspection, penalties. HF 1085, Nystrom.
Removal of undesirable or injurious fish from inland waters, issue permit to an individual. HF 1108, Tieden; HF 1219, conservation and recreation.
Corrective amendments to the Iowa beer and liquor control act; fees, permits, licenses, locations, etc. HF 1133, state government.
Migratory labor camps, requirements, etc. HF 1221, Gluba.
Transfer of authority and responsibility re certain motor vehicles as to weight, permits, inspection, etc., from highway commission and commerce commission to public safety. SF 1175, Kennedy and Gaudineer.
Increase county fees for serving subpoenas, notice, warrants, summonses, etc., also for permit to carry concealed weapons. HF 1284, county government.

PETITIONS—

(Also see Elections)

General

Petitioning for a rural water district, bond required. SF 1002, county government; HF 1012, county government.
Petitioning for a private sanitary district, bond required. SF 1031, county government; HF 1036, county government.
Permit creation of community improvement districts, issuance of bonds and levy taxes, penalties, etc. SF 1062, Griffin; HF 1289, county government. Similar.

PHARMACY—

(Also see Narcotics and/or Medical—Professional and/or Drugs)

General

Permit pharmacists to allow customers to choose between prescription drugs of same value, but different prices. SF 1129, Gaudineer.
Control of dangerous substances (medications) and the board of pharmacy, increase license fees. SF 1192, law enforcement.

PHYSICAL EDUCATION—**General**

Physical education courses in elementary and secondary schools, successful completion before credit received. HF 1008, Dunton.

PHYSICIANS—

(See Medical—Professional)

PICKETING—**General**

Lawful picketing in labor disputes, trespass law does not prohibit. SF 1077, Walsh.

PLANNING AND PROGRAMMING—**General**

Create a state transportation planning commission. HF 1173, Welden; HF 1256, transportation.

PLATTING—

(Also see Property and/or Real Estate)

General

Permit cities and towns, by ordinance, to require platting. SF 1161, Riley.

PLUMBING—**General**

Uniform minimum standards for plumbing, licensing, supervision and inspection, penalties. HF 1085, Nystrom.

POLICE—**General**

Requests for withdrawal of body substances under the implied consent law may be oral unless requested written. HF 639, Schmeiser; HF 1274, law enforcement. Similar subject matter.

Provide for police reserve units in cities with populations over 5,000. SF 1107, Griffin; HF 1179, Knoke.
 Change method of determining retirement compensation for peace officers, also lower voluntary retirement age. HF 1153, Doyle, et al.
 Qualifications of police and fire chiefs. SF 1174, Doderer.

POLITICAL CAMPAIGNS—

General

Election expenses, campaign expenditures by candidates not to exceed certain amount for either primary or general election, etc. SF 1027, Glenn.
 Provide that in all at-large elections, candidates shall state the specific seat to which they are seeking election. HF 1245, Taylor.

POLITICAL ORGANIZATIONS—

General

Strike requirement state central committee of a political party consist of one man and one woman from each congressional district. SF 1121, Milligan and Gaudineer.
 Authorize a presidential preferential primary election in Iowa. HF 1186, Freeman and Blouin.

POLITICS—

General

Strike requirement state central committee of a political party consist of one man and one woman from each congressional district. SF 1121, Milligan and Gaudineer.

POLLUTION—

(Also see Sewage)

General

Prohibit sale of any detergent containing any phosphorous compound. SF 459, Riley; HF 1022, Blouin. S.
 Authorize cities and towns to issue revenue bonds in connection with pollution control. SF 1153, Iowa development; HF 1239, Lawson.
 Issuance of environmental impact states re development projects affecting the environment. HF 1223, Winkelman.

POULTRY—

(See Foods)

PRECINCTS—

General

Drawing of grand jurors, counties having less than 12 election precincts. SF 1195, county government.

PRESIDENT AND VICE-PRESIDENT—U.S.—

General

Authorize a primary preferential primary election in Iowa. HF 1186, Freeman and Blouin.
 Lower age qualifications for offices of president, vice president, U.S. senator, and representative to legal voting age. HJR 1008, Ewell and Gluba.
 Urge president of the U.S. request the government of the Soviet Union to permit free exercise of religion, end discrimination, and permit emigration. HCR 102; H.J. 24, 70 adopted; S.J. 89, 136 adopted.

PRESS—

General

Confidential communications and the press. HF 1118, Kelly.
 Express to Allan Hoschar appreciation for contribution in reporting legislative proceedings. SR 102; S.J. 1137, 1150 adopted.

PRINTING—PUBLISHING—

General

Publishing of salaries of school district employees. HF 1081, Scott.
 Publications concerning the cure of venereal disease, repeal prohibition against. SF 1084, Potgeter.
 Prohibit publication of official notices in newspapers having paid circulation of more than 100,000. HF 1157, Fischer of Grundy.
 Publishing of names of persons receiving public aid, penalties. SF 1156, Tapscott; HF 1263, county government. Similar subject matter.

PRISONERS—

(See Penal Institutions, sub-ref. Prisoners)

PRISONS—

(See Penal Institutions)

PROBATE LAW—

General

Service of notice—increase value of property surviving spouse may take—prior will of remarried couple, reinstated—estates, equitable relief, separate action—appointment of guardians or conservators for those incapable of caring for themselves—and disclaimer in intestate estates, etc. SF 1194, judiciary.

PROPERTY—**(Also see Land and/or Real Estate)****General**

- Liens on real estate owned by old age assistance recipients. HF 80, Christensen; SF 1131, Riley and Van Gilst.
- Notification, by county assessors, not later than March 15th, valuation of property. HF 452, Schmeiser, et al.; (Similar subject matter as HF 1120, county government; SF 1117, county government)
- Free property owners and others from civil liability in case of injury to trespassers. HF 1031, Winkelman, et al.; SF 1020, Graham, et al.
- Flood and erosion control, all taxable property outside of incorporated cities to be taxed. SF 1043, Briles; HF 1072, Pellett.
- Establish a moratorium on increases in assessment of real property, except for equalization between counties, etc. HF 1090, Winkelman.
- Issue an appraisal manual to all county and city assessors by department of revenue. HF 1099, ways and means; SF 1075, ways and means. S.
- Tax assessment procedures. SF 1096, ways and means.
- Legalize transfer of real property from Prairie community school district to Russell and Florence M. Jondle. SF 1110, Judiciary.
- Exempt sales by school districts of structures erected by students from property value limitations, section 297.22 of Code. HF 1159, Ellsworth; HF 1286, ways and means.
- Old-age assistance and transfer of real property. HF 1184, Knoke.
- Malicious damage to property, penalties. HF 1191, Blouin.
- Permit cities and towns, by ordinance, to require platting. SF 1161, Riley.
- Liens imposed on real estate owned by persons, or persons responsible for, receiving care at county expense shall not be subject to the limitation of actions. HF 1224, Winkelman and Rex.
- Sale of unused right of way property acquired by highway commission. HF 1226, Trowbridge.
- Urban renewal projects and bonds. HF 1257, ways and means; SF 1186, ways and means.
- Condemnation**
- Eminent domain, condemnation, notices of appeal, lienholders, award of damages, etc. HF 229, Dunton; SF 1038, Van Gilst.
- Power of eminent domain of the board of a conservancy district. SF 1016, Graham.
- Authorize counties to acquire private property by condemnation for sanitary landfill purposes. HF 1044, county government.

Taxes**(See Taxes, sub-ref. Property)****PERSONAL—**

- Definition of casual sales. HF 1083, Scott.
- Tax assessment procedures. SF 1096, ways and means.
- Exempt from tax on sales and services—those furnished, or performed by the state or any of its political subdivisions. HF 1204, Andersen.

PUBLIC BUILDINGS AND GROUNDS—**(See Buildings and Grounds)****PUBLIC DEFENSE—****General**

- Public defense, appropriation for various capital improvements. SF 1203, appropriations.

PUBLIC INSTRUCTION, DEPARTMENT OF—**(Also see Schools, sub-ref. Public Instruction, Department)****General**

- Establish salary rates for the superintendent of public instruction and all school superintendents. HF 1010, Radl and Sorg.
- Provide pamphlet on laws re alcoholic beverages, distribute to all high schools. HF 1066, Rodgers.
- Approval, coordination, and supervision over electronic data processing for educational purposes in cooperation with general services. SF 1070, schools.
- Appropriate to public instruction, participation in federal breakfast, lunch and minimal equipment programs. SF 1091, appropriations.
- Regulate private trade, business, and correspondence schools, penalty. HF 1231, Kelly and Larson.
- School districts may provide nursery school programs for certain children. SF 1053, Riley; HF 1079, Lipsky.
- Amend the state school foundation program, enrollment, reimbursements, increase costs, millage, etc. HF 1269, schools.
- Reimbursement to local school districts, county school systems, joint county systems, etc., for auxiliary services to nonpublic school students. SF 1199, schools; SF 1214, appropriations. (SF 1214 has appropriation) Very similar.

PUBLIC OFFICIALS**General**

Age qualifications for elective public office. HF 1116, Kehe, et al.

**PUBLIC SAFETY, DEPARTMENT OF—
(Also see Safety and/or Highway Safety Patrol)****General**

- Eliminate prescribed form by public safety re odometer mileage statements. HF 1004, Monroe.
- Provide course for persons convicted of operating a motor vehicle while under the influence of an alcoholic beverage, suspension of drivers licenses, fees, penalties. HF 1082, Lipsky and Christensen.
- Salary increases for highway patrol officers, appropriate from primary road fund. HF 1092, Doyle, et al.
- Operating a motor vehicle while intoxicated, penalties. SF 1114, Riley. (SF 178 and 241 contain similar subsection; HF 1082 similar subject matter)
- Change method of determining retirement compensation for peace officers, also lower voluntary retirement age. HF 1153, Doyle, et al.
- Require report of the disposition of all persons whose arrest has been reported to criminal investigation and bureau of identification. HF 1169, law enforcement.
- Motor vehicle registration reciprocity. SF 1147, Anderson.
- Provide that motor vehicle accident reports are inadmissible in evidence. HF 1205, Kreamer.
- Require passenger restraining devices in school buses, penalty. SF 1162, Nicholson; HF 1244, Gluba.
- Transfer of authority and responsibility re certain motor vehicles as to weight, permits, inspection, etc., from highway commission and commerce commission to public safety. SF 1175, Kennedy and Gaudineer.
- Public safety conduct study of the life lite, etc. HCR 115; H.J. 631, 930 adopted, 991; S.J. 743, 1058 adopted.
- Restriction and suspension of drivers licenses must be under departmental rules and regulations. HF 1262, law enforcement.
- Transfer members of the division of fire protection of public safety to public safety peace officers' retirement accident and disability system. HF 1267, law enforcement.
- Construction of a building at law-enforcement academy, appropriation. SF 1204, appropriation.

PUBLIC UTILITIES—

(See Utilities, sub-ref. Public)

PUBLICATIONS—

(See Printing—Publishing)

PURCHASING—**General**

All state purchases of goods and services and all governmental subdivisions, including schools, involving state or federal funds subject to competitive bidding with exceptions. HF 1251, state government.

RADIO—

(See Communications)

RAILROADS—**General**

- Use of snowmobiles on railroad rights-of-way. HF 1057, law enforcement.
- Regulation of railroads in cities and towns, penalties. SF 1097, Riley and Robinson. (SF 285 similar subject matter)
- Abandoned railroad right-of-way, state option to buy. HF 1168, Lawson.
- Abandoned railroad right-of-way, revert to former owner. HF 1177, Scott.
- Railroads must file annually with commerce commission intention to abandon railroad right-of-way. HF 1189, Schwieger.
- Reversion to the state of abandoned railroad right-of-way, use of. HF 1215, Freeman and Campbell.
- Abandoned railroad right-of-way, revert to state. HF 1237, Small. (HF 626, HF 1163, HF 1177, HF 1189, and HF 1215 all refer to abandoned railroad right-of-way)
- Committee to study feasibility and need for providing railroad passenger service in Iowa, also service from Dubuque to Sioux City, submit report. HCR 114; H.J. 562.
- Committee to study restoration of railroad passenger service, submit report. SCR 115; S.J. 509, 518, 771, 1089.
- Committee to study abandonment of railroad rights-of-way, submit report. HCR 118; H.J. 701, 913.
- Abandoned railroad right-of-way, procedure for another railroad to acquire. SF 1197, Van Gilst.
- Committee to study need for railroad service and methods to improve heavy freight transportation service, submit report. SCR 126; S.J. 860, 990.

REAL ESTATE—

(Also see Land and/or Licenses, sub-ref. Real Estate and/or Property)

General

- Liens on real estate owned by old age assistance recipients. HF 80, Christensen; SF 1131, Riley and Van Gilst.
- Deposit of receipts from taxation of real estate transfers, percentage to state general fund, percentage to county. SF 64, county government; HF 1134, Winkelman. (Similar subject matter)
- Bank holding companies, bank offices, etc., re loans, fees paid, etc. SF 1008, Brownlee, et al.; HF 1112, Fischer of Grundy; HF 100, Sorg, et al.; SF 341, Griffin. (Similar subject matter)
- Real estate broker trust funds. SF 1010, Potter.
- Increase fees for duplicate broker's license and a new license. SF 1025, Thordsen.
- Requirements for a financing statement under article 9 of the uniform commercial Code. SF 1035, Potter.
- Forfeiture of real estate contracts, vendee also pay cost of preparation. HF 1051, Kelly.
- Tax assessment procedures. SF 1096, ways and means.
- Taxation of real estate transfers and penalty for failure to comply. SF 1101, ways and means. (HF 1288 contains some of the same sections; similar subject matter)
- Liens imposed on real estate owned by persons, or persons responsible for, receiving care at county expense shall not be subject to the limitation of actions. HF 1224, Winkelman and Rex.
- Establish an examination fee for real estate salesman or broker examinations. SF 1183, Thordsen.
- Provide for full disclosure of sales price in real estate transfers, penalty. HF 1288, ways and means. (SF 1101 contains some of the same sections; similar subject matter)

REAPPORTIONMENT OF LEGISLATURE—**General**

- Apportionment of the General Assembly based on population, etc. HJR 1007, Shaw, et al.

RECIPROCITY—**General**

- Income tax of nonresidents. HF 139, Mendenhall and Shaw; SF 279, Thordsen and Nicholson; HF 1283, ways and means.
- State reciprocity in enforcement of support decrees, etc. HF 1073, Schwieger; HF 1287, judiciary. Similar.
- Motor vehicle registration reciprocity. SF 1147, Anderson.

RECORDS—**General**

- Free copy of an individual's military record furnished for perfecting any claim. SF 1005, county government.
- Copying of public records, may do so by means of equipment, fee. HF 1139, Larson.
- Reduce time when certain court records may be destroyed. HF 1271, judiciary.

RECREATION—**General**

- Actions for injuries or damages caused by the operation of a motor boat. HF 1005, Fisher of Greene; SF 1026, Arbuckle.

RECYCLABLE MATERIALS—**General**

- Establish collection stations for recyclable materials. HF 1136, Kehe.

REDISTRICTING—**General**

- Judicial redistricting and judicial nominating commissions. HF 1161, Rodgers, et al.; SF 1126, Rhodes, et al.

REFUSE—

(See Pollution and/or Sewage)

REGENTS, BOARD OF—**General**

- Student activity fees, universities, require list of purposes for. SF 1048, Messerly.
- Urge board of regents establish a college of criminal justice at the University of Northern Iowa. HCR 105; H.J. 251.
- Appropriation to board of regents, University of Northern Iowa, reallocation, etc. SF 1085, Messerly and Conklin; HF 1130, Hansen, et al.; HF 1280, appropriations.

- Require board of regents to itemize student fees, permit student to elect which fees he will pay re services, etc. HF 1138, Schroeder.
- Permit students, after one year in residence at a state university, to take as much as three quarters of work at any other state university, same tuition and credits, etc. SF 1120, Conklin.
- Conversion of WOI-TV for use of the educational radio and television facility board. HF 1146, Mendenhall, et al.; SF 1113, Riley, et al.
- Establish regional medical educational facilities by board of regents. SF 1193, social services.
- Urge board of regents to investigate possibilities of establishing a college of criminal justice. HCR 121; H.J. 868, 964, adopted; S.J. 714, 1119 adopted.

REGISTRATION—**(Also see Motor Vehicles, sub-ref. Registration)****General**

- Grounds for refusal to register motor vehicles. HF 1007, Kreamer; SF 1032, Milligan.
- Issuance of special motor vehicle registration plates, drivers license mandatorily revoked. HF 1018, Kelly.
- Motor vehicle registration fees, county treasurer retain. SF 1023, county government.
- Registration and titling of motorcycles, penalties. HF 1097, Doyle, et al.
- Restricted certificate of title for motor vehicles damaged or inoperable. HF 1113, transportation.
- Election laws, penalties. HF 1147, state government.
- Issuance of special registration certificates to snowmobile dealers and manufacturers, etc., fees. H.F. 1192, Stromer.
- Motor vehicle registration plates, display symbol. H.F. 1193, Iowa development.
- Registration requirements, dealers and salesman, securities, etc., cease and desist orders, public information, penalties. HF 1194, Freeman, et al.
- Motor vehicle registration reciprocity. SF 1147, Anderson.
- Registration fees on motor vehicles be based on value. SF 1150, county government.
- Distribution of motor vehicle registration fees by county treasurers. HF 1255, Holden.
- Extend time for use of motor vehicle "registration applied for" cards. HF 1259, transportation.
- Establish a board of electronic service examiners, etc. SF 1187, Van Drie.

REHABILITATION—**General**

- Furloughs and work release programs for inmates. SF 1041, Glenn, et al.
- Provide for a comprehensive program for treatment, education, and rehabilitation of alcoholics. SF 1173, Doderer.

RESOLUTIONS—**General**

- Compensation of switchboard operators. SCR 101; S.J. 10 adopted; H.J. 6, 44 adopted.
- Urge President of the U.S. request the government of the Soviet Union to permit free exercise of religion, end discrimination, and permit emigration. SCR 102; S.J. 37, 59, 80, 135, 136 withdrawn. (See HCR 102)
- Urge highway commission to select Palo route for I-380. SCR 103; S.J. 48, 59.
- Urge Congress to settle west coast dock strike, adopt legislation establishing permanent guidelines and procedures for settlement of transportation disputes, etc. SCR 104; S.J. 195, 228, 243, 267, 300-304 adopted, 306; H.J. 299.
- Committee to study structure of the Iowa supreme court, need for changes or for alternative appeals courts, submit report. SCR 105; S.J. 226, 492, 509, 589-590 adopted; H.J. 856, 1037 adopted.
- Committee to study feasibility and most economical method of extending educational radio and television to the entire state, submit report. SCR 106; S.J. 324.
- Urge social services to apply for subgrants available from Iowa crime commission for the hiring of additional counselors and parole agents. SCR 107; S.J. 391, 418.
- Authorize commission on aging conduct study of retirement systems available to state employees, submit report. SCR 108; S.J. 417, 418.
- Request Governor Ray declare July 4, 1972 as senior citizens recognition day. SCR 109; S.J. 418.
- Committee to study state-owned communication facilities, submit report. SCR 110; S.J. 478, 491.
- Adjournment Friday, March 10, 1972 at five p.m. SCR 111; S.J. 478, 709-710 adopted; H.J. 964, 1096.
- Extend congratulations to the University of Iowa on the 125th anniversary of its founding. SCR 112; S.J. 506, 527 adopted; H.J. 777 adopted.
- Commend the various organizations, committees, businesses and industry in improving the 54 mile area along the Missouri river. SCR 113; S.J. 507, 710-711 adopted; H.J. 964, 1281 adopted.

- That the executive council shall have published the names and dates of the men captured or missing in Vietnam and that flags over state buildings shall be flown at half mast upon the anniversary of those dates. SCR 114; S.J. 508, 632-634 adopted; H.J. 912-913 adopted.
- Committee to study restoration of railroad passenger service, submit report. SCR 115; S.J. 509, 518, 771, 1089
- Committee to study the financing of Iowa's educational system, submit report. SCR 116; S.J. 571, 572, 681, 1089.
- Committee to study feasibility of providing prepaid health care services to citizens of this state, submit report. SCR 117; S.J. 621, 652, 802, 1089.
- Recommend purchase of disability income protection and life insurance protection for highway commission employees. SCR 118; S.J. 651.
- Expenses of legislators during interim, payment. SCR 119; S.J. 703, 995 adopted; H.J. 1224-1225, 1358 adopted.
- That the President of the Senate and Speaker of the House be presented with similar desks such as they are now using. SCR 120; S.J. 704, 996 adopted; H.J. 1225, 1358 adopted.
- Details of closing the 1972, Second Regular Session of the Sixty-fourth General Assembly, interim staff and work, reconvening the 1973, First Regular Session of the Sixty-fifth General Assembly. SCR 121; S.J. 704, 995 adopted; H.J. 1225, 1359 adopted.
- Resolutions calling for interim studies not adopted in both houses be delivered to the President pro tempore and Speaker of the House and the legislative council determine priorities, etc. SCR 122; S.J. 800, 995 adopted; H.J. 1226, 1359 adopted.
- Congratulate the Iowa State University wrestling team. SCR 123; S.J. 859, 864, adopted; H.J. 1100, 1328 adopted.
- General Assembly urges that the president of the organization of Iowa highway commission employees be allowed reasonable working time to carry out his duties and be given office facilities, etc. SCR 124; S.J. 859, 1153-1155 adopted, 1171-1172 failed.
- Extend congratulations to Roland-Story girls basketball team. SCR 125; S.J. 860, 865 adopted; H.J. 1106 adopted.
- Committee to study need for railroad service and methods to improve heavy freight transportation service, submit report. SCR 126; S.J. 860, 990.
- Request proper notice and time be given for states and persons affected by the occupational safety and health act of 1970 to comply with the rules and regulations. SCR 127; S.J. 882, 1111, 1113-1116 adopted; H.J. 1378.
- Committee to study motor vehicle laws of Iowa comparing with the uniform vehicle code. SCR 128; S.J. 883, 990.
- Committee to study the quality of life of Iowa's elderly citizens, etc., submit report. SCR 129; S.J. 988, 1010.
- That the Governor arrange for a statewide comprehensive conference on Iowa's future. SCR 130; S.J. 989, 1117 adopted; H.J. 1365 adopted.
- Committee to study method of protecting the public from disease, fraud, etc., re pet animals, submit report. SCR 131; S.J. 1007, 1010.
- Committee to study legislative regulation of consumer credit charges in Iowa, submit report. SCR 132; S.J. 1110.
- That a certificate of service be given each page in both the Senate and House commending them for their services. SCR 133; S.J. 1158 adopted; H.J. 1445 adopted.
- Adjournment, Friday, March 24, 1972 at 8:15 p.m. SCR 134; S.J. 1174-1175 adopted; H.J. 1446 adopted.
- Interim expenses for the Secretary of the Senate. SR 101; S.J. 703, 995 adopted.
- Express to Allan Hoschar appreciation for contribution in reporting legislative proceedings. SR 102; S.J. 1137, 1150 adopted.
- Commissioner of public safety rescind rules and regulations re safety equipment for motorcyclists. HCR 43; H.J. 2037, 2075 adopted; S.J. 1904; Second Regular Session: S.J. 710 adopted.
- Joint convention January 10, 1972, at 1:45 p.m.. Governor Ray's state of the state message. HCR 101; H.J. 2 adopted; S.J. 10 adopted.
- Urge President of the U.S. request the government of the Soviet Union to permit free exercise of religion, end discrimination, and permit emigration. HCR 102; H.J. 24, 70 adopted; S.J. 89, 136 adopted.
- Committee to study the women's correctional system in Iowa. HCR 103; H.J. 50, 775-777 adopted; S.J. 569, 572, 836.
- That the General Assembly designate one day each session to meet with Iowa congressmen to discuss subjects of mutual concern. HCR 104; H.J. 196.
- Urge Board of Regents establish a college of criminal justice at the University of Northern Iowa. HCR 105; H.J. 251.
- Urge crime commission designate a portion of federal funds to the University of Northern Iowa for establishing a college of criminal justice. HCR 106; H.J. 252.
- Committee to study tax structure as it relates to local taxing body expenditures, submit report. HCR 107; H.J. 273, 563 adopted; S.J. 458, 459, 681, 772.
- Department of Social Services urged to apply for subgrants available from Iowa crime commission for hiring of additional counselors and parole agents. HCR 108; H.J. 300, 791 adopted; S.J. 565.

- Urge Congress to settle west coast dock strike and provide permanent procedures for settlement of transportation disputes, etc. HCR 109; H.J. 300.
- Encourage Iowans to observe arbor day, designated April 28, 1972, by planting a tree or shrub. HCR 110; H.J. 455, 603 adopted; S.J. 488, 819 adopted.
- That the federal government be directed to institute a study of present price-grading system for grain and oil seeds in the U.S.; establish a new base for determining market price. HCR 111; H.J. 496, 1037 adopted; S.J. 799, 1058 adopted.
- Extend congratulations to members and director of Fort Madison Aquinas high school band, invitation to participate in 1972 Olympic marching band tour and competition, etc. HCR 112; H.J. 497, 562 adopted; S.J. 458, 589 adopted.
- That the comptroller issue a statement that the State of Iowa in no way endorses goods or services and endorsement was from an individual. HCR 113; H.J. 526, 603 adopted; S.J. 489, 491.
- Committee to study feasibility and need for providing railroad passenger service in Iowa, also service from Dubuque to Sioux City, submit report. HCR 114; H.J. 562.
- Public safety conduct study of the life lite, etc. HCR 115; H.J. 631, 980 adopted, 991; S.J. 743, 1058 adopted.
- Extend congratulations to the University of Iowa on the 125th anniversary of its founding. HCR 116; H.J. 631.
- Commend the various organizations, committees, businesses and industry in improving the 54 mile area along the Missouri river. HCR 117; H.J. 632.
- Committee to study abandonment of railroad rights-of-way, submit report. HCR 118; H.J. 701, 913.
- Committee to study salaries of elective and appointive state officials, submit report. HCR 119; H.J. 774.
- That the channel catfish be recognized as the official state fish for Iowa. HCR 120; H.J. 854-855.
- Urge board of regents investigate possibilities of establishing a college of criminal justice. HCR 121; H.J. 868, 964 adopted; S.J. 714, 1119 adopted.
- Recommend purchase of disability income protection and life insurance protection for highway commission employees. HCR 122; H.J. 900.
- Recommend purchase of disability income protection and life insurance protection for all state employees. HCR 123; H.J. 936, 1027 adopted; S.J. 799, 818 adopted.
- Committee to study joint, coordinated, or pooled law enforcement by political subdivisions, submit report. HCR 124; H.J. 951.
- Urge executive council adopt the practice of paying highway commission employees every two weeks on Wednesday. HCR 125; H.J. 992.
- Committee to study existing professional and occupational licensing boards, others that should be licensed, etc., submit report. HCR 126; H.J. 992, 1107 adopted; S.J. 879, 990.
- Committee to study property tax exemptions. HCR 127; H.J. 1028, 1221.
- Rejected claims be considered by Senate and House, approval. HCR 128; H.J. 1062, 1281 adopted; S.J. 1044, 1121 adopted.
- General Assembly urges the president of the organization of Iowa highway commission employees be allowed reasonable working time to carry out his duties and be given office facilities, etc. HCR 129; H.J. 1073.
- Extend congratulations to Roland-Story girls basketball team. HCR 130; H.J. 1090.
- General Assembly urges allowing state employee organizations the use of state buildings and auditoriums when available. HCR 131; H.J. 1090, 1358 adopted; S.J. 1131-1132 failed, 1134.
- Division of Iowa into different federal reserve districts. HCR 132; H.J. 1113, 1266, adopted; S.J. 1028, 1116 adopted.
- Committee to study feasibility of the manufacture of grain alcohol motor fuel by Iowa industries, etc., submit report. HCR 133; H.J. 1114.
- Urge the calling of a conference on Iowa's development in the twenty-first century by the Governor. HCR 134; H.J. 1125.
- That the Governor arrange for a statewide comprehensive conference to be called the conference on Iowa in the twenty-first century. HCR 135; H.J. 1126.
- Committee to study the quality of life of Iowa's elderly citizens, etc., submit report. HCR 136; H.J. 1126-1127.
- Committee to study Iowa milk and milk product standards, submit report. HCR 137; H.J. 1246, 1395 adopted; S.J. 1149.
- Committee to study the rules and procedures of the General Assembly. HCR 138; H.J. 1270, 1365 adopted; S.J. 1149.
- Congratulate the Alta high school boys basketball team. HCR 139; H.J. 1295, 1358 adopted; S.J. 1124 adopted.
- Congratulate the Cedar Rapids Kennedy high school boys basketball team. HCR 140; H.J. 1295.
- Committee to study legislative regulation of consumer credit charges in Iowa, submit report. HCR 141; H.J. 1327.
- Commend WOI for providing excellent public service in broadcasting the proceedings of the General Assembly. HCR 142; H.J. 1446.

Interim expenses for the chief clerk of the House. HR 101; H.J. 1326, 1358 adopted.

RETAILER—

General

Inventories, merchants and manufacturers, alternate method for determining taxable values. SF 1044, Riley.

RETIREMENT SYSTEMS—

General

First \$6,000 of retirement pay or disability benefits received by a former member of the armed forces may be excluded before tax is computed. SF 1012, Riley.

Change method of determining retirement compensation for peace officers, also lower voluntary retirement age. HF 1153, Doyle, et al.

Authorize commission on aging conduct study of retirement systems available to state employees, submit report. SCR 108; S.J. 417, 418, 884.

Benefits under peace officers' retirement system, include accidental death benefits. SF 1210, law enforcement.

Public

Increase per diem pay for appointive members of advisory investment board of IPERS, also change retirement dates and benefits. HF 1046, Andersen; SF 1067, Griffin. (SF 455, HF 1093, SF 1109 and HF 1145 similar subject matter)

Increase salary ceiling for contributions to IPERS. HF 1145, Mendenhall. (SF 455, SF 1067, HF 1046, HF 1093 and SF 1109 similar subject matter)

Shorten number of years employment for receiving IPERS, etc. HF 1093, Dunton, et al.; SF 1109, Rhodes, et al. (SF 455, SF 1067, HF 1046 and HF 1145 similar subject matter)

Cost-of-living adjustments after retirement under IPERS. SF 1209, Anderson and Arbuckle.

REVENUE, DEPARTMENT OF—

General

Homestead tax credit for persons 65 or over, or totally disabled, penalties. HF 536, Gluba, et al.; HF 1155, Blouin, et al.; HF 1243, Gluba and Small S.

Require department of revenue to furnish its enforcement officers with uniforms. HF 1024, Middleswart.

Eliminate state-owned liquor stores. HF 1050, Blouin, et al.

Inventories, merchants and manufacturers, alternate method for determining taxable values. SF 1044, Riley.

Delivery to a co-owner of the contents of a safety deposit box after having been reported to department of revenue. HF 1098, Ellsworth; HF 1190, Blouin. (Same)

Reduce time limit for filing a state inheritance tax return. HF 1172, Ellsworth.

Establishment, by cities and towns, of sanitary disposal projects, authorizing a tax, violations. HF 1183, Radl.

References to the internal revenue code; tax chapter to include amendments so as to incorporate the 1971 revenue act. SF 1169, ways and means.

Taxation of financial institutions, deductions of franchise tax shall not be allowed. HF 1246, ways and means.

Tax exemptions allowed on income of farmers and fruit growers cooperatives. SF 1176, Potgeter.

Director

Issue an appraisal manual to all county and city assessors by department of revenue. HF 1099, ways and means; SF 1075, ways and means. S.

Tax assessment procedures. SF 1096, ways and means.

Property tax exemptions, federal and state, municipal and military property, religious, literary, and scientific societies, public airports, hospitals, institutions for public charity, health care facilities, private colleges and universities, schools, cemetery associations, etc. HF 1197, ways and means.

Apportionment of property valuation of certain electric power generating plants. HF 1148, Kehe and Fischer of Grundy; HF 1277, ways and means. Similar subject matter.

Provide for full disclosure of sales price in real estate transfers, penalty. HF 1288, ways and means. (SF 1101 contains some of the same sections; similar subject matter)

REVIEW, BOARD OF—

(See Assessments and/or Property)

RIGHT-OF-WAY—

General

Abandoned railroad right-of-way, state option to buy. HF 1168, Lawson.

Abandoned railroad right-of-way, revert to former owner. HF 1177, Scott.

Railroads must file annually with commerce commission intention to abandon railroad right-of-way. HF 1189, Schwieger.

- Sale of unused right of way property acquired by highway commission. HF 1226, Trowbridge.
 Abandoned railroad right-of-way, revert to state. HF 1237, Small. (HF 626, HF 1168, HF 1177, HF 1189, and HF 1215 all refer to abandoned railroad right-of-way)
 Abandoned railroad right-of-way, procedure for another railroad to acquire. SF 1197, Van Gilst.

RIVERS—
 (See Water)

ROAD USE TAX FUND—

General

- Raise allocation from road use tax fund to street construction fund of cities and towns, lower others. HF 1238, Gluba.

ROADS AND HIGHWAYS—

General

- Prohibit establishment or construction of a new primary highway, 50 miles of parallel, existing primary highway. HF 1002, Radl.
 Urge highway commission to select Palo route for I-380. SCR 103; S.J. 48, 59.
 Width of vehicles, exclude safety devices used to secure loads. HF 1021, Bennett; HF 1264, transportation.
 Publication of notice within a county by highway commission prior to commencement of construction or improvements on a highway. HF 1026, Fischer of Grundy.
 Acquisition of right-of-way necessary to construct 2-lane highway between I-80 and Cedar Rapids by highway commission. HF 1054, Kennedy.
 Operation of snowmobiles on highway rights-of-way, governmental immunity. SF 1104, Curran; HF 1171, Lawson.
 Permit boards of supervisors to prohibit discharge of any firearms on any road or highway under their jurisdiction. SF 1127, Anderson.
 Establish a highway construction fund, construction and reconstruction of state and interstate controlled-access highways, issuance of bonds, etc. SF 1146, Shawver.
 Sale of unused right of way property acquired by highway commission. HF 1226, Trowbridge.
 Posting of signs near intersections where passing of motor vehicles is prohibited. HF 1227, Shaw.
 Raise allocation from road use tax fund to street construction fund of cities and towns, lower others. HF 1238, Gluba.
 Increase allocation for construction of state institutional and park roads. HF 1292, appropriations.

RULES—

General

- Committee to study the rules and procedures of the General Assembly. HCR 138; H.J. 1270, 1365 adopted; S.J. 1149.

SAFETY—

General

- Amusement rides, etc., safety inspection and regulation of. HF 1001, human and industrial relations.
 Width of vehicles, exclude safety devices used to secure loads. HF 1021, Bennett; HF 1264, transportation.
 Protective eyeglass lenses, department of health adopt rules in conformance with federal rules, etc. SF 1052, Doderer et al.; HF 1104, social services. S.
 Public safety conduct study of the lift lite, etc. HCR 115; H.J. 631, 980 adopted, 991; S.J. 743, 1058 adopted.
 Occupational safety and health, penalties, appropriation. SF 1218, human and industrial relations.
 Request proper notice and time be given for states and persons affected by the occupational safety and health act of 1970 to comply with the rules and regulations. SCR 127; S.J. 882, 1111, 1113-1116 adopted; H.J. 1378.

PUBLIC, DEPARTMENT OF—

(See Public Safety, Department of)

SAFETY DEPOSIT BOXES—

General

- Delivery to a co-owner of the contents of a safety deposit box after having been reported to department of revenue. HF 1098, Ellsworth; HF 1190, Blouin. (Same)

SALARIES—

General

- Contribution ceiling under IPERS. HF 95, Mendenhall; SF 343, Riley, et al.; HF 1135, Andersen; SF 1100, Doderer. (Similar subject matter)

Establish salary rates for the superintendent of public instruction and all school superintendents. HF 1010, Radl and Sorg.
 Adjust pay of state employees under merit system according to changes in consumer price index. HF 1070, Nystrom; SF 1072, Van Drie.
 Publishing of salaries of school district employees. HF 1081, Scott.
 Provide overtime pay for highway commission employees. SF 1060, Van Drie et al.; HF 1076, Nystrom.
 Increase the salary of the director of the traveling library. SF 1081, Doderer.
 Increase salaries of certain county officers. HF 1123, Rex and Pelton; SF 1149, Briles. Very similar.
 Prohibit wage discrimination on the basis of sex. HF 1142, Shaw, et al.
 Provide for a study of salaries of elective and appointive state officials. SJR 1003, Gaudineer.
 Increase salaries of county attorneys. HF 1209, Knoke.
 Increase compensation of members of the General Assembly, etc., abolish budget and financial control committee. SF 1155, Tapscott, et al.
 Establish a commission on salaries for elective state officials. HF 1242, state government.
 Committee to study salaries of elective and appointive state officials, submit report. HCR 119; 774.
 Increase salary of the director of the traveling library and members of commerce commission, 1972-73. SF 1205, appropriations.
 Method of paying state employees, bank. SF 1206, state government.
 Urge executive council adopt the practice of paying highway commission employees every two weeks on Wednesday. HCR 125, H.J. 992.

SALES—**General**

Sale of mobile homes on Sundays. HF 1028, Sorg and Tieden; SF 1049, Riley and Balloun.
 Private sale, control, and distribution of wine, penalties. HF 1056, Trowbridge, et al.; SF 1073, Walsh, et al.; HF 1276, ways and means, very similar.
 Casual farm auction sales, disposition of proceeds. HF 1067, Pellett.
 Definition of casual sales. HF 1083, Scott.
 Cities and towns must allocate at least 20% of the funds distributed to them from state liquor store sales to treatment and rehabilitation of alcoholics and drug abusers. SF 1061, Riley; HF 1180, Knoke. Similar.
 Hours during which alcoholic liquors and beer may be sold. HF 1102, Gluba, et al.; SF 1078, Walsh. Similar subject matter. (HF 345, HF 685 and SF 169 contain similar subsections)
 Remove prohibition against the sale or distribution of contraceptive products. SF 1076, Doderer, et al.
 Setting of minimum prices for retail sales of beer. HF 1149, Blouin.

Tax

(See Taxes, sub-ref. Sales)

SANITARY DISPOSALS—**General**

Establishment, by cities and towns, of sanitary disposal projects, authorizing a tax, violations. HF 1183, Radl.

SANITATION—**General**

Authorize counties to acquire private property by condemnation for sanitary landfill purposes. HF 1044, county government.

Districts

Petitioning for a private sanitary district, bond required. SF 1031, county government; HF 1036, county government.

SAVINGS—

(Also see Banking and/or Savings and Loan Associations)

General

Inducements to open or add to savings accounts, penalties. HF 1109, Fischer of Grundy.

SAVINGS AND LOAN ASSOCIATIONS—**General**

Lending and investing powers of savings and loan associations, mobile homes, etc. HF 1047, Alt.
 Inducements to open or add to savings accounts, penalties. HF 1109, Fischer of Grundy.
 Taxation of financial institutions, deductions of franchise tax shall not be allowed. HF 1246, ways and means.

SCHOLARSHIPS—**General**

Establish a rural physicians associate program, scholarships, appropriation. HF 1234, Winkelman.

SCHOOL DISTRICTS—

(See Schools, sub-ref. Districts)

SCHOOLS—

(Also see Colleges; Universities and/or Regents, Board of)

General

- Immediate canvass of votes re school elections. HF 1009, Shaw.
 Polling places used in school elections. SF 1050, Riley.
 Compensation for election judges in school elections. SF 1054, Lamborn.
 Provide pamphlet on laws re alcoholic beverages, distribute to all high schools. HF 1066, Rodgers.
 Change date of school board elections to coincide with municipal elections, etc. HF 1080, Kreamer; SF 1063, Conklin.
 Age qualifications for elective public office. HF 1116, Kehe, et al.
 Prohibit possession and consumption of alcoholic liquors or beer on any public or private school property. HF 1127, Logemann.
 Merger of county and joint county school systems, limit taxing powers. HF 1152, Ewell; SF 1119, Shawver. (SF 174, HF 291, HF 592, HF 657, HF 661, HF 662 similar subject matter)
 Exempt sales by school districts of structures erected by students from property value limitations, sec. 297.22 of Code. HF 1159, Ellsworth; HF 1286, ways and means.
 Provide financial benefits for education of children of persons classified as prisoners of war or missing in action in Viet Nam. SF 1136, Rabedaux.
 Create a system of intermediate educational service districts in place of county school systems. HF 1174, Andersen.
 Regulate private trade, business, and correspondence schools, penalty. HF 1231, Kelly and Larson.
 All state purchases of goods and services and all governmental subdivisions, including schools, involving state or federal funds subject to competitive bidding with exceptions. HF 1251, state government.
 School districts may provide nursery school programs for certain children. SF 1058, Riley; HF 1079, Lipsky.
 Amend the state school foundation program, enrollment, reimbursements, increase costs, millage, etc. HF 1269, schools.
 Committee to study the financing of Iowa's educational system, submit report. SCR 116; S.J. 571, 572, 681, 1089.
 Reimbursement to local school districts, county school systems, joint county systems, etc., for auxiliary services to nonpublic school students. SF 1199, schools; SF 1214, appropriations; (SF 1214 has appropriation) very similar.

Area—Area Vocational

- Legalize and validate proceedings for the establishment, organization, etc., boundaries of merged area school systems. SF 529, Walsh; HF 1101, Grassley. Similar.
 Merged areas may borrow money in anticipation of collection of a voted tax. SF 1059, Gross; HF 1095, Waugh, et al.
 Purchase of the midwestern college campus site, etc., appropriation. SF 1074, Balloun.
 Appropriation to area I, expansion of the Dubuque attendance center. HF 1132, Ellsworth, et al.; SF 1166, Walsh, et al.; HF 1111, Blouin, similar subject matter.
 Nonresidents in area schools. SF 1092, Gaudineer.
 Attendance center for an area vocational school shall be located in a county having a city of 50,000 or more population. HF 1137, Schroeder and Knoke.
 Operating a motor vehicle while intoxicated, penalties. SF 1114, Riley. (SF 178 contains similar subsection; HF 1082 similar subject matter)
 Tuition grants for veterans of Vietnam conflict. HF 1185, Freeman.
 Prohibit expansion of certain curricula at area schools. HF 1210, Kreamer.

Boards

- Resignations of school board members, and election of. HF 1032, Pellett, et al.
 Compensation of school district treasurers. SF 1053, Lamborn.

Bonds

- Legalize proceedings of the united community school district in issuing school building bonds. SF 1055, Arbuckle; HF 1074, Nystrom.

Buses; Transportation

- Require passenger restraining devices in school buses, penalty. SF 1162, Nicholson; HF 1244, Gluba.

County

- Shorten duration of contracts of county superintendents of schools. SF 1069, schools.
 Repeal chapter of Code requiring county superintendent of schools arrange for professional teachers meetings, etc. HF 1107, Rex.

Districts

- Change local budget certification date of school districts. SF 1001, Riley; HF 1045, Lipsky.
 Compensation of school district treasurers. SF 1053, Lamborn.

- Publishing of salaries of school district employees. HF 1081, Scott.
 Approval, coordination, and supervision over electronic data processing for educational purposes in cooperation with general services. SF 1070, schools.
 Legalize transfer of real property from Prairie community school district to Russell and Florence M. Jondle. SF 1110, judiciary.
 Create a system of intermediate educational service districts in place of county school systems. HF 1174, Andersen.
 School districts may provide nursery school programs for certain children. SF 1058, Riley; HF 1079, Lipsky.
 Permit a school corporation to transfer surplus moneys if approved by voters. SF 1217, schools.

Employees

- Publishing of salaries of school district employees. HF 1081, Scott.

Funds; Taxes

- Appropriate to public instruction, participation in federal breakfast, lunch and minimal equipment programs. SF 1091, appropriations.
 Permit a school corporation to transfer surplus moneys if approved by voters. SF 1217, schools.

Legalizing Acts**(See Legalizing Acts)****Radio and TV**

- Conversion of WOI-TV for use of the educational radio and television facility board. HF 1146, Mendenhall, et al.; SF 1113, Riley, et al.
 Committee to study feasibility and most economical method of extending educational radio and television to the entire state, submit report. SCR 106; S.J. 324.
 Committee to study state-owned communication facilities, submit report. SCR 110; S.J. 478, 491.
 Appropriation to educational radio and television facility board for capital improvements. HF 1247, appropriations.

Requirements/Curriculum/Courses/Subjects

- Physical education courses in elementary and secondary schools, successful completion before credit received. HF 1008, Dunton.

Students

- Provide for the court in neglected, dependent, etc. child cases to have access to school records, etc. HF 1088, Dunton.

Superintendent of

- Establish salary rates for the superintendent of public instruction and all school superintendents. HF 1010, Radl and Sorg.
 Shorten duration of contracts of county superintendents of schools. SF 1069, schools.
 Repeal chapter of Code requiring county superintendent of schools arrange for professional teachers meetings, etc. HF 1107, Rex.
 Allows persons 14 and 15 to work in certain occupations, badge no longer required, also certain occupations approved by labor commissioner, juvenile court judge and superintendent of schools. SF 1128, Gaudineer. (HF 171 similar subject matter)

Teachers

- Repeal chapter of code requiring county superintendent of schools arrange for professional teachers meetings, etc. HF 1107, Rex.
 Clarify procedures followed in the termination of a teacher's contract. SF 1135, Robinson and Gross.

Trade

- Regulation of advertising and selling courses of instruction. HF 499, Grassley, et al.; HF 1273, commerce. Similar subject matter.
 Regulate private trade, business, and correspondence schools, penalty. HF 1231, Kelly and Larson.

SECRETARY OF AGRICULTURE—

(See Agriculture, sub-ref. Secretary of)

SECRETARY OF SENATE—**General**

- Interim expenses for the Secretary of the Senate. SR 101; S.J. 703, 995 adopted.

SECRETARY OF STATE—**General**

- Prohibit enactment of any state or local law which imposes or increases a tax retroactively. SJR 1002, Anderson, et al.
 Equality of rights. HJR 1001, Uban, et al.
 Establish an intermediate court of criminal appeals, etc. SF 1079, Gaudineer and DeKoster.
 Election laws, penalties. HF 1147, state government.
 Business corporations, use of similar names, signatures, meetings, mergers, etc. HF 1170, Kelly; SF 1191, judiciary.

Authorize a presidential preferential primary election in Iowa. HF 1186, Freeman and Blouin.
 Appropriation to Secretary of State to defray expenses re election laws. HF 1213, appropriations.

SECURITIES—**General**

Registration requirements, dealers and salesman, securities, etc., cease and desist orders, public information, penalties. HF 1194, Freeman, et al.

SECURITY—**General**

Requirements for a financing statement under article 9 of the uniform commercial code. SF 1035, Potter.

SECURITY OFFICERS—

(See Officers and/or Police)

SEED—

(See Agriculture, sub-ref. Seed)

SENIOR CITIZENS—**General**

Identification cards for persons 60 years of age or older. HF 143, Stokes and Strand; SF 139, Sullivan and Van Gilst; HF 1058, Stokes, et al.; SF 1047, Van Gilst, et al. (Same subject matter)

Commission on aging establish an advisory subcommittee to create and implement a plan providing for extending home health-homemakers services, etc. SF 1163, Riley and Van Gilst.

Prohibit age discrimination in employment—persons 65 or older may obtain identification cards, and also may use school buses and lunch facilities if. SF 1164, Walsh. (HF 64 and SF 274 comp.; SF 31 and 427 comp.; SF 82 and HF 107 comp.; HF 143 and SF 139 comp.; HF 1058 and SF 1047 comp. These bills combined contain same and similar subject matter as SF 1164)

Provide services to senior citizens, appropriation. SF 1165, Walsh.

Authorize commission on aging conduct study of retirement systems available to state employees, submit report. SCR 108; S.J. 417, 418, 884.

Request Governor Ray declare July 4, 1972 as senior citizens recognition day. SCR 109; S.J. 418.

Allow a property tax exemption for persons 65 years or older. SJR 1006, Walsh.

Property tax relief for persons 65 or over, penalties. SF 1216, Van Gilst.

Property tax relief for persons 65 or older, or totally disabled. SF 278, Shaff and Walsh; SF 458, Walsh. (Similar subject matter)

Committee to study the quality of life of Iowa's elderly citizens, etc., submit report. HCR 136; H.J. 1126-1127.

Committee to study the quality of life of Iowa's elderly citizens, etc., submit report. SCR 129; S.J. 988, 1010.

SERVICE STATION—**General**

Self-service filling stations, authorization, regulation, and inspection of. HF 1059, Schroeder, et al.

SERVICES—

(Also see Tax, sub-ref. Service)

General

Provide services to senior citizens, appropriation. SF 1165, Walsh.

SESSIONS—

(See General Assembly)

SEWAGE—

(Also see Pollution)

General

Grant water and sewage easement to Eldora. HF 1048, Welden; SF 1046, Potgeter.

SEWER SYSTEMS—**General**

Legalize proceedings of Stuart, Adair and Guthrie counties, award of a contract for construction of a sanitary sewer improvement project. HF 1075, Varley.

SEX—**General**

Prohibit wage discrimination on the basis of sex. HF 1142, Shaw, et al.

SHERIFFS—**(Also see Officers and/or Police)****General**

Increase county fees for serving subpoenas, notice, warrants, summonses, etc., also for permit to carry concealed weapons. HF 1284, county government.

SIGNS—**(Also see Advertising, sub-ref. Signs)****General**

Posting of signs near intersections where passing of motor vehicles is prohibited. HF 1227, Shaw.

SLAUGHTER—**(See Animals, sub-ref. General)****SNOWMOBILES—****(See Motor Vehicles, sub-ref. Snowmobiles)****SOCIAL SECURITY—****General**

Extend benefits of social security to members of the General Assembly. HF 1228, Middleswart, et al.

SOCIAL SERVICES, DEPARTMENT OF—**General**

Liens on real estate owned by old age assistance recipients. HF 80, Christensen; SF 1131, Riley and Van Gilst.

Establish board of optometry, restructure operations, etc. of present board. HF 524, Freeman, et al.; SF 1154, Arbuckle, et al. Similar.

Requests for withdrawal of body substances under the implied consent law may be oral unless requested written. HF 639, Schmeiser; HF 1274, law enforcement. (Similar subject matter)

Require council of social services prepare a list of all deaf, blind, and severely handicapped persons. SF 1030, county government.

Juvenile court probation services, department of social services contribute, counties participate, etc., appropriation. SF 1039, Messerly and Conklin.

Grant water and sewage easement to Eldora. HF 1048, Welden; SF 1046, Potgeter.

Furloughs and work release programs for inmates. SF 1041, Glenn, et al.

Statutory provisions affecting the legal treatment of female persons. HF 1114, Lipsky et al.; SF 1083, Doderer.

Counties not financially responsible for aid to the disabled program. SF 1082, social services.

Change classification of claims, for public assistance, against estates, mentally ill. SF 1088, judiciary.

Commitment of alcohol and drug addicts, also private facilities. SF 1090, county government.

Recovery of old age assistance payments, delete certain provision of Code. SF 1115, Riley and Van Gilst.

Social services urged to apply for subgrants available from crime commission for hiring of additional counselors and parole agents. HCR 108; H.J. 300, 791 adopted; S.J. 565.

Collection of support payments for welfare recipients, state pay share to counties. HF 1164, Camp.

Old-age assistance and transfer of real property. HF 1184, Knoke.

Clarify legal settlement of minor children residing in institutions. HF 1199, social services.

Postmortem examinations. HF 1200, social services.

Handicapped persons entering any kind of institution or facility to obtain needed care or treatment retains legal settlement he had at the time he entered. HF 1212, Logemann, et al.

Publishing of names of persons receiving public aid, penalties. SF 1156, Tapscott; HF 1263, county government. Similar subject matter.

Urge social services to apply for subgrants available from Iowa crime commission for the hiring of additional counselors and parole agents. SCR 107; S.J. 391, 418.

Establish office of penal and correctional complaints. HF 1229, Small, et al.

Provide services to senior citizens, appropriation. SF 1165, Walsh.

Provide for a comprehensive program for treatment, education, and rehabilitation of alcoholics. SF 1173, Doderer.

Old-age assistance recipients may reside in a county home which qualifies as a skilled nursing home. HF 1249, social services.

Expand use of ambulance services at University hospital. SF 1178, social services; HF 1253, social services.

Continue study of the state mental health institutes, etc. under social services. HF 1297, appropriations.

Parole, Board of

Additional penalties for commission of, or attempt to commit crimes when armed with firearms. HF 230, Fischer of Grundy; SF 1066, law enforcement. (Same subject matter)

Time served on parole will count against prisoners sentence, even if revoked. HF 1042, Kelly, et al.; SF 1065, Kennedy, et al.

Board of parole employ executive secretary, etc. SF 1042, Lamborn, et al.

Social Welfare

Computation of old age assistance grants, appropriation. SF 42, Conklin; SF 1141, Riley and Van Gilst. Similar.

Employment of county relief recipients on county government owned properties, etc. SF 1024; county government.

SOCIAL WELFARE—

(See Social Services, sub-ref. Social Welfare)

SOIL CONSERVATION—**General**

Clarify voting authority of ex officio members of soil conservation committee, authorize committee to set time limitations for district commissioners to establish soil loss limits, etc. HF 1176, environmental preservation.

Require approved soil conservation practices on land in the watershed upstream from proposed dams, U.S. army corps of engineers. HJR 1006, Winkelman, et al.

SOLDIERS HOME, IOWA—**General**

Use of fees and funds received by soldiers home. HF 1016, Camp and Lipsky.

SPORTS—

(Also see Athletics)

General

Congratulate the Iowa State University wrestling team. SCR 123; S.J. 859, 864 adopted; H.J. 1100, 1328 adopted.

Extend congratulations to Roland-Story girls basketball team. SCR 125; S.J. 860, 865 adopted; H.J. 1106 adopted.

Extend congratulations to Roland-Story girls basketball team. HCR 130; H.J. 1090.

Congratulate the Alta high school boys basketball team. HCR 139; H.J. 1295, 1358 adopted; S.J. 1124 adopted.

Congratulate the Cedar Rapids Kennedy high school boys basketball team. HCR 140; H.J. 1295.

STATE AID—

(See Schools, sub-ref. State-Federal Aid)

STATE DEPARTMENTS—

(See State Government, all sub-refs.)

STATE FAIR—

(See Fairs)

STATE GOVERNMENT—**General**

Age of majority (18 years). HF 1011, state government; SF 1009, Conklin. S. Establish seat of government at State Center. SJR 1001, Mowry.

Labeling of eggs, penalty. HF 1060, Kinley.

Exempt from tax on sales and services—those furnished, or performed by the state or any of its political subdivisions. HF 1204, Andersen.

Authorize commission on aging conduct study of retirement systems available to state employees, submit report. SCR 108; S.J. 417, 418, 884.

Abandoned railroad right-of-way, revert to state. HF 1237, Small. (HF 626, HF 1168, HF 1177, HF 1189, and HF 1215 all refer to abandoned railroad right-of-way)

All state purchases of goods and services and all governmental subdivisions, including schools, involving state or federal funds subject to competitive bidding with exceptions. HF 1251, state government.

That the channel catfish be recognized as the official state fish for Iowa. HCR 120; H.J. 854-855.

Recommend purchase of disability income protection and life insurance protection for highway commission employees. HCR 122; H.J. 900.

Additional and/or corrective duties and/or services the department of general services may, with or without approval of executive council and/or legislative council, provide. HF 1290, state government.

Recommend purchase of disability income protection and life insurance protection for highway commission employees. SCR 118; S.J. 651.

Increase allocation for construction of state institutional and park roads. HF 1292, appropriations.

Study need, financing and planning for construction of a state office building, appropriation. HF 1295, appropriations.
Deletion of word 'direct' thereby allowing state to impose taxes other than property tax, re debts. SJR 1007, constitutional amendments and reapportionment.

Departments

Establish an office of citizens' aide, penalties, appropriation. SF 288, Potgeter and Walsh; HF 1122, Winkelman, et al.; HF 1291, appropriations. (Same subject matter)

Employees

State employees transferring from a nonmerit system job to merit system job entitled to state employee benefits. SF 1033, Van Drie.
Remove requirement executive council approve merit system classification and pay plan. HF 1049, Gluba.

Legal holidays for state employees. SF 1056, Van Drie, et al.
Adjust pay of state employees under merit system according to changes in consumer price index. HF 1070, Nystrom; SF 1072, Van Drie.

Provide overtime pay for highway commission employees. SF 1060, Van Drie et al.; HF 1076, Nystrom.

Increase per diem pay for appointive members of advisory investment board of IPERS, also change retirement dates and benefits. HF 1046, Anderson; SF 1067, Griffin; HF 1093, Dunton, et al. (Same subject matter)

Rehiring of former and transfers of state employees. HF 1144, Hansen.
Include probationary employees of the state in vacation allowances if terminated; exceptions. HF 1154, Nystrom; SF 1139, Van Drie.

State participation in group life insurance programs for state employees. SF 1138, Van Drie; HF 1188, Nystrom. (Very similar)

Establish a state highway commission employee representative, employee related matters, merit system. SF 1153, Van Drie.

Provide office space to the president or chief administrative officer of each state employee organization representing 2500 or more state employees, etc. SF 1159, Van Drie.

Leave of absence by reason of sickness or injury for state employees. SF 1160, Van Drie; HF 1232, Nystrom.

Recommend purchase of disability income protection and life insurance protection for all state employees. HCR 123; H.J. 936, 1027 adopted; S.J. 799, 818 adopted.

Method of paying state employees, bank. SF 1206, state government.
Urge executive council adopt the practice of paying highway commission employees every two weeks on Wednesday. HCR 125; H.J. 992.

Cost-of-living adjustments after retirement under IPERS. SF 1209, Anderson and Arbuckle.

General Assembly urges allowing state employee organizations the use of state buildings and auditoriums when available. HCR 131; H.J. 1090, 1358 adopted; S.J. 1131-1132 failed, 1134.

Executive Branch

Use of state buildings by state employee organizations. HF 1061, Nystrom.
Age qualifications for elective public office. HF 1116, Kehe, et al.

Provide for a study of salaries of elective and appointive state officials. SJR 1003, Gaudineer.

Establish a commission on salaries for elective state officials. HF 1242, state government.

Committee to study salaries of elective and appointive state officials, submit report. HCR 119; 774.

STATE OF IOWA—

(See State Government, all sub-refs.)

STATE OFFICES—

(See State Government, all sub-refs.)

STATE TAX COMMISSION—

(See Revenue, Department of)

STATUTES—

General

Effective date of laws passed by the General Assembly. SJR 1005, Van Gilst.

STOCKS—

General

Registration requirements, dealers and salesman, securities, etc., cease and desist orders, public information, penalties. HF 1194, Freeman, et al.

STRIKES—

General

Urge Congress to settle west coast dock strike and provide permanent procedures for settlement of transportation disputes, etc. HCR 109; H.J. 300.

Urge Congress to settle west coast dock strike, adopt legislation establishing permanent guidelines and procedures for settlement of transportation disputes, etc. SCR 104; S.J. 195, 228, 243, 267, 300-304 adopted, 306; H.J. 299.

STUDENTS—

(See Schools, sub-ref. Students)

STUDY COMMITTEES—

General

Committee to study the women's correctional system in Iowa. HCR 103; H.J. 50, 775-777 adopted; S.J. 569, 572, 836.

Committee to study structure of the Iowa supreme court, need for changes or for alternative appeals courts, submit report. SCR 105; S.J. 226, 492, 509, 589-590 adopted; H.J. 856, 1037 adopted.

Committee to study tax structure as it relates to local taxing body expenditures, submit report. HCR 107; H.J. 273, 563 adopted; S.J. 458, 459, 681, 772.

Committee to study feasibility and most economical method of extending educational radio and television to the entire state, submit report. SCR 106; S.J. 324.

Create interim study committee on county statutes, appropriation. SJR 1004, Walsh.

Committee to study feasibility and need for providing railroad passenger service in Iowa, also service from Dubuque to Sioux City, submit report. HCR 114; H.J. 562.

Committee to study state-owned communication facilities, submit report. SCR 110; S.J. 478, 491.

Committee to study restoration of railroad passenger service, submit report. SCR 115; S.J. 509, 518, 771, 1089.

Committee to study abandonment of railroad rights-of-way, submit report. HCR 118; H.J. 701, 913.

Committee to study salaries of elective and appointive state officials, submit report. HCR 119; 774.

Committee to study feasibility of providing prepaid health care services to citizens of this state, submit report. SCR 117; S.J. 621, 652, 802, 1089.

Committee to study joint, coordinated, or pooled law enforcement by political subdivisions, submit report. HCR 124; H.J. 951.

Committee to study existing professional and occupational licensing boards, others that should be licensed, etc. submit report. HCR 126; H.J. 992, 1107 adopted; S.J. 879, 990.

Continue study of the state mental health institutes, etc. under social services. HF 1297, appropriations.

Committee to study property tax exemptions. HCR 127; H.J. 1028, 1221.

Committee to study need for railroad service and methods to improve heavy freight transportation service, submit report. SCR 126; S.J. 860, 990.

Committee to study feasibility of the manufacture of grain alcohol motor fuel by Iowa Industries, etc., submit report. HCR 133; H.J. 1114.

Committee to study motor vehicle laws of Iowa comparing with the uniform vehicle code. SCR 128; S.J. 883, 990.

Committee to study the quality of life of Iowa's elderly citizens, etc., submit report. HCR 136; H.J. 1126-1127.

Committee to study the quality of life of Iowa's elderly citizens, etc., submit report. SCR 129; S.J. 988, 1010.

Committee to study Iowa milk and milk product standards, submit report. HCR 137; H.J. 1246, 1395 adopted; S.J. 1149.

Committee to study method of protecting the public from disease, fraud, etc., re pet animals, submit report. SCR 131; S.J. 1007, 1010.

Committee to study legislative regulation of consumer credit charges in Iowa, submit report. HCR 141; H.J. 1327.

Committee to study legislative regulation of consumer credit charges in Iowa, submit report. SCR 132; S.J. 1110.

SUBDIVISIONS—

General

Permit cities and towns, by ordinance, to require platting. SF 1161, Riley.

SUNDAY SALES—

(See Sales)

SUPERVISORS—

(See Counties, sub-ref. Supervisors, Board of)

SUPPORT—

General

Support payments, if not paid, contempt of court. SF 1003, county government; HF 1013, county government.

Age for which liability for support is required, uniform support of dependents law. SF 1018, Gaudineer.

State reciprocity in enforcement of support decrees, etc. HF 1073, Schwieger; HF 1287, judiciary. Similar.

Collection of support payments for welfare recipients, state pay share to counties. HF 1164, Camp.
Clarify legal settlement of minor children residing in institutions. HF 1199, social services.

SUPREME COURT—
(See Court, sub-ref. Supreme)

SWINE—
(See Animals)

TAX—

General

- Rate of interest assessed as a penalty on mobile home taxes. HF 1020, Monroe.
Flood and erosion control, all taxable property outside of incorporated cities to be taxed. SF 1043, Briles; HF 1072, Pellett.
Prohibit enactment of any state or local law which imposes or increases a tax retroactively. SJR 1002, Anderson, et al.
Merged areas may borrow money in anticipation of collection of a voted tax. SF 1059, Gross; HF 1095, Waugh, et al.
Permit creation of community improvement districts, issuance of bonds and levy taxes, penalties, etc. SF 1062, Griffin; HF 1289, county government. Similar.
Taxation of real estate transfers and penalty for failure to comply. SF 1101, ways and means. (HF 1288 contains some of the same sections; similar subject matter)
Taxation of marine insurance underwriting profits. HF 1165, Ellsworth.
Provide for full disclosure of sales price in real estate transfers, penalty. HF 1288, ways and means. (SF 1101 contains some of the same sections; similar subject matter)
Deletion of word 'direct' thereby allowing state to impose taxes other than property tax, re debts. SJR 1007, constitutional amendments and re-apportionment.

Excise

- Create Iowa egg fund, promote marketing of eggs, excise tax for. SF 255, Coleman; HF 350, Rex; HF 1285, agriculture. Similar subject matter.
Increase excise tax on leaded motor fuels to .09 cents per gallon, .06 cents nonleaded. HF 1218, Small.

Franchise

- Taxation of finance institutions, deductions of franchise tax shall not be allowed. HF 1246, ways and means.

Income

- Income tax of nonresidents. HF 139, Mendenhall and Shaw; SF 279, Thorsen and Nicholson; HF 1283, ways and means.
First \$6,000 of retirement pay or disability benefits received by a former member of the armed forces may be excluded before tax is computed. SF 1012, Riley.
Require lobbying expense be added back into income before computation of personal and corporate income tax. SF 1022, Glenn.
Taxation of income from interstate commerce, exemptions. SF 1103, Curran, et al.; HF 1166, Lawson, et al.
References to the internal revenue code; tax chapter to include amendments so as to incorporate the 1971 revenue act. SF 1169, ways and means.
Tax exemptions allowed on income of farmers and fruit growers cooperatives. SF 1176, Potgeter.

Inheritance

- Exemptions from inheritance tax, brother or sister. HF 1119, Blouin.
Inheritance taxes, provide for the passing of property held jointly or as tenants in entirety, also marital deduction. SF 1124, Conklin. (HF 1119 similar subject matter)
Reduce time limit for filing a state inheritance tax return. HF 1172, Ellsworth.

Personal Property

- Inventories, merchants and manufacturers, alternate method for determining taxable values. SF 1044, Riley.

Property

- Notification, by county assessors, not later than March 15th, valuation of property. HF 452, Schmeiser, et al.; (Similar subject matter as); HF 1120, county government; SF 1117, county government.
Tax exemptions allowed for veterans. HF 521, Kennedy; SF 1142, Gross. Very similar. (SF 107 similar subject matter)
Homestead tax credit for persons 65 or over, or totally disabled, penalties. HF 536, Gluba, et al.; HF 1155, Blouin, et al.; HF 1243, Gluba and Small. S.
Property now exempt from taxation if used for commercial purposes to be taxed. HF 678, Cochran; HF 1106, Scott. (Similar subject matter)
Legalize proceedings of the United community school district in issuing school building bonds. SF 1055, Arbuckle; HF 1074, Nystrom.

Committee to study tax structure as it relates to local taxing body expenditures, submit report. HCR 107; H.J. 273, 563 adopted; S.J. 458, 459, 681, 772.

Merger of county and joint county school systems, limit taxing powers. HF 1152, Ewell; SF 1119, Shawver. (SF 174, HF 291, HF 592, HF 657, HF 661, HF 662 similar subject matter)

Property tax exemptions, federal and state, municipal and military property, religious, literary, and scientific societies, public airports, hospitals, institutions for public charity, health care facilities, private colleges and universities, schools, cemetery associations, etc. HF 1197, ways and means.

Provide for assessment of penalties and interest on delinquent payment of the tax equivalent on industrial projects, cities and towns. SF 1184, ways and means.

Allow a property tax exemption for persons 65 years or older. SJR 1006, Walsh.

Committee to study property tax exemptions. HCR 127; H.J. 1028, 1221.

Property tax relief for persons 65 or over, penalties. SF 1216, Van Gilst.

Sales

Definition of casual sales. HF 1083, Scott.

Exempt storage of grain from service tax. HF 1091, Winkelman, et al.; SF 1151, Graham, et al.

Exempt advertisement and promotional materials, seed catalogs, and envelopes for materials from sales tax. HF 1160, Lawson.

Exempt from tax on sales and services; those furnished, or performed by the state or any of its political subdivisions. HF 1204, Andersen.

Service

Exempt storage of grain from service tax. HF 1091, Winkelman, et al.; SF 1151, Graham, et al.

Remove service tax from warehouse storage. SF 1102, Curran, et al.; HF 1167, Lawson, et al.

Exempt from tax on sales and services; those furnished, or performed by the state or any of its political subdivisions. HF 1204, Andersen.

TEACHERS—

(See Schools, sub-ref. Teachers and/or Retirement)

TELEPHONE—

(See Communications)

TENANT—

General

Notice of termination of farm tenancies. HF 1103, Logemann.

TERRACE HILL—

General

Conversion of Terrace Hill for use as Governor's mansion, appropriation. HF 1196, Dunton, et al.

TIME—

General

Hours during which alcoholic liquors and beer may be sold. HF 1102, Gluba, et al.; SF 1078, Walsh. Similar subject matter. (HF 345, HF 685 and SF 169 contain similar subsections)

TIRES—

General

Extend time within which a motor vehicle failing inspection must be repaired, require inspection upon transfer, lengthen that period, and permit regrooving of specially designed tires. HF 1258, transportation.

TITLES—

General

Registration and titling of motorcycles, penalties. HF 1097, Doyle, et al.

Restricted certificate of title for motor vehicles damaged or inoperable. HF 1113, transportation.

TOBACCO—

General

Cigarette retailers, eliminate bonding of. HF 1027, Uban, et al.

Prohibit advertisement of cigarettes in this state. HF 1077, Holden.

TOWNSHIPS—

General

Appointment of certain township officers by county board of supervisors. HF 1025, Knoblauch.

TRANSPORTATION—

General

Prohibit establishment of construction of a new primary highway, 50 miles of parallel, existing primary highway. HF 1002, Radl.

- Width of vehicles, exclude safety devices used to secure loads. HF 1021, Bennett; HF 1264, transportation.
- Publication of notice within a county by highway commission prior to commencement of construction or improvements on a highway. HF 1026, Fischer of Grundy.
- Regulation of liquid transport carriers. HF 1033, commerce.
- Create a department of transportation, appropriation. SF 1040, transportation; HF 1068, transportation. S.
- Acquisition of right-of-way necessary to construct 2-lane highway between I-80 and Cedar Rapids by highway commission. HF 1054, Kennedy.
- Registration of a motor carrier's interstate transportation service, penalized if not registered with commerce commission. HF 1087, commerce.
- Urge congress to settle west coast dock strike, adopt legislation establishing permanent guidelines and procedures for settlement of transportation disputes, etc. SCR 104; S.J. 195, 228, 243, 267, 300-304 adopted, 306; H.J. 299.
- Urge congress to settle west coast dock strike and provide permanent procedures for settlement of transportation disputes, etc. HCR 109; H.J. 300.
- Create a state transportation planning commission. HF 1173, Welden; HF 1256, transportation.
- Motor vehicle registration reciprocity. SF 1147, Anderson.
- Authorize shuttle carrier service without a certificate of public convenience and necessity. SF 1152, Van Drie; HF 1230, Egenes.
- Extend time within which a motor vehicle failing inspection must be repaired, require inspection upon transfer, lengthen that period, and permit regrooving of specially designed tires. HF 1258, transportation.
- Extend time for use of motor vehicle "registration applied for" cards. HF 1259, transportation.

TREASURER OF STATE—

General

- Establish board of optometry, restructure operations, etc. of present board. HF 524, Freeman, et al.; SF 1154, Arbuckle, et al. Similar.
- Establishment, by cities and towns, of sanitary disposal projects, authorizing a tax, violations. HF 1183, Radl.
- Establish a highway construction fund, construction and reconstruction of state and interstate controlled-access highways, issuance of bonds, etc. SF 1146, Shawver.

Funds

- Deposit of receipts from taxation of real estate transfers, percentage to state general fund, percentage to county. SF 64, county government. HF 1134, Winkelman. (Similar subject matter)
- Vietnam veterans' service compensation fund, bonds. HF 352, Wyckoff and Ellsworth; SF 1106, Riley; SF 1202, ways and means; HF 1300, appropriations. Similar.
- Fees collected by commerce commission deposited to general fund. HF 1052, commerce; SF 1207, commerce.
- Cities and towns must allocate at least 20% of the funds distributed to them from state liquor store sales to treatment and rehabilitation of alcoholics and drug abusers. SF 1061, Riley; HF 1180, Knoke. Similar.
- Uniform minimum standards for plumbing, licensing, supervision and inspection, penalties. HF 1085, Nystrom.
- Annual reversions of administrative appropriations. HF 1100, Camp and Kehe.

TREES—

General

- Encourage Iowans to observe arbor day, designated April 28, 1972, by planting a tree or shrub. HCR 110; H.J. 455, 603, adopted; S.J. 488, 819 adopted.

TRESPASSING—

General

- Free property owners and others from civil liability in case of injury to trespassers. HF 1031, Winkelman, et al.; SF 1020, Graham, et al.
- Lawful picketing in labor disputes, trespass law does not prohibit. SF 1077, Walsh.
- Malicious damage to property, penalties. HF 1191, Blouin.

TRUCKS—

(See Motor Vehicles, sub-ref. Trucks)

TRUSTS—

General

- Eliminate payment of a portion of the fines in antitrust suits to county attorneys and the attorney general. HF 1030, Blouin; SF 1028, judiciary; HF 1037, judiciary. S. (HF 1030 similar)

TUITIONS—

(Also see Colleges—Universities)

General

- Tuition grants for veterans of Vietnam conflict. HF 1185, Freeman.

UNEMPLOYMENT COMPENSATION—

General

Increase benefits for unemployment compensation. HF 1248, Gluba, et al.

UNIFORM COMMERCIAL CODE—

General

Consumer contracts, etc., must be marked 'consumer instrument'. HF 635, Taylor, et al.; SF 1140, Gross.
Requirements for a financing statement under article 9 of the uniform commercial code. SF 1035, Potter.

UNIFORM RECIPROCAL ENFORCEMENT OF SUPPORT ACT—

General

State reciprocity in enforcement of support decrees, etc. HF 1073, Schwieger; HF 1287, judiciary. Similar.

UNIFORM TRADE PRACTICES ACT—

General

Unfair trade practices in insurance, penalties. HF 1141, Ellsworth, et al.; SF 1099, Griffin.

UNIFORMS—

General

Require department of revenue to furnish its enforcement officers with uniforms. HF 1024, Middleswart.

UNIONS—

(See Labor)

UNIVERSITIES—

(See Colleges—Universities)

URBAN RENEWAL—

General

Urban renewal projects and bonds. HF 1257, ways and means; SF 1186, ways and means.

USE TAX—

(See Taxes)

UTILITIES—

General

Apportionment of property valuation of certain electric power generating plants. HF 1148, Kehe and Fischer of Grundy; HF 1277, ways and means. Similar subject matter.

Public

Reports of utility company valuations and mileage to city, town, and township trustees unnecessary, repeal sections. SF 1004, county government.
Rate regulation of public utilities, public hearings, etc. SF 1011, Glenn; HF 1110, Gluba; SF 1080, Neu; SF 1098, Anderson. (Same and similar subject matter)
Rate of interest on public utility refunds to customers. SF 1013, commerce; HF 1053, commerce. S.
Allow telephone and telegraph companies to establish separate scales of rates and charges for persons 65 or older and handicapped; qualifications. SF 1112, Riley.

VACATIONS—

General

Include probationary employees of the state in vacation allowances if terminated; exceptions. HF 1154, Nystrom; SF 1139, Van Drie.

VALUATIONS—

General

Reports of utility company valuations and mileage to city, town, and township trustees unnecessary, repeal sections. SF 1004, county government.
Apportionment of property valuation of certain electric power generating plants. HF 1148, Kehe and Fischer of Grundy; HF 1277, ways and means. Similar subject matter.

VENDING—

General

Vending machines, breaking and entering of. HF 1006, Doyle.

VENEREAL DISEASE—

(Also see Disease)

General

Publications concerning the cure of venereal disease, repeal prohibition against. SF 1084, Potgeter.

VETERANS—

(Also see Military)

General

Vietnam veterans' service compensation fund, bonds. HF 352, Wyckoff and Ellsworth; SF 1106, Riley; SF 1202, ways and means; HF 1300, appropriations. Similar.

Tax exemptions allowed for veterans. HF 521, Kennedy; SF 1142, Gross. Very similar. (SF 107 similar subject matter)

Free copy of an individual's military record furnished for perfecting any claim. SF 1005, county government.

First \$6,000 of retirement pay or disability benefits received by a former member of the armed forces may be excluded before tax is computed. SF 1012, Riley.

Provide financial benefits for education of children of persons classified as prisoners of war or missing in action in Viet Nam. SF 1136, Rabe-deaux.

Tuition grants for veterans of Vietnam conflict. HF 1185, Freeman.

That the executive council shall have published the names and dates of the men captured or missing in Vietnam and that flags over state buildings shall be flown at half mast upon the anniversary of those dates. SCR 114; S.J. 508, 632-634 adopted; H.J. 912-913 adopted.

VETERINARY—**General**

Prohibit administration of drugs to horses, penalties. HF 1125, Winkelman and Tieden.

VOCATIONAL SCHOOLS—

(See Schools, sub-ref. Area; Area Vocational and/or Trade)

VOTING—

(See Elections)

WAGES—

(See Salaries)

WAREHOUSES—**General**

Remove service tax from warehouse storage. SF 1102, Curran, et al.; HF 1167, Lawson, et al.

Storage of agricultural products without receipts, single license for two or more warehouses if, bonded warehouses. HF 1272, commerce; SF 1196, commerce.

WATER—**General**

Grant water and sewage easement to Eldora. HF 1048, Welden; SF 1046, Pot-ger.

Require approved soil conservation practices on land in the watershed up-stream from proposed dams, U.S. army corps of engineers. HJR 1006, Winkelman, et al.

Designate protected water areas. HF 1233, Tieden.

Provide guidelines for adoption of administrative rules by conservation commission re water navigation regulations, etc., penalties. SF 1185, conservation and recreation.

Districts

Petitioning for a rural water district, bond required. SF 1002, county gov-ernment; HF 1012, county government.

Rural water districts not subject to regulation by commerce commission. SF 1021, Neu; HF 1084, agriculture.

WATERCRAFT—**General**

Actions for injuries or damages caused by the operation of a motor boat. HF 1005, Fisher of Greene; SF 1026, Arbuckle.

Provide guidelines for adoption of administrative rules by conservation commission re water navigation regulations, etc., penalties. SF 1185, conservation and recreation.

WATER DISTRICTS—

(See Water, sub-ref. Districts)

WATER POLLUTION—

(See Pollution)

WATER POLLUTION CONTROL COMMISSION—**General**

Prohibit sale of any detergent containing any phosphorous compound. SF 459, Riley; HF 1022, Blouin. S.

WAYS AND MEANS—

General

- Tax exemptions allowed for veterans. HF 521, Kennedy; SF 1142, Gross. Very similar. (SF 107 similar subject matter)
- Homestead tax credit for persons 65 or over, or totally disabled, penalties. HF 536, Gluba, et al.; HF 1155, Blouin, et al.; HF 1243, Gluba and Small, S.
- Property now exempt from taxation if used for commercial purposes to be taxed. HF 678, Cochran; HF 1106, Scott. (Similar subject matter)
- Rate of interest assessed as a penalty on mobile home taxes. HF 1020, Monroe.
- Establish a moratorium on increases in assessment of real property, except for equalization between counties, etc. HF 1090, Winkelman.
- Exempt storage of grain from service tax. HF 1091, Winkelman, et al.; SF 1151, Graham, et al.
- Change fiscal year of cities and towns, counties, and other political subdivisions. SF 1125, ways and means; HF 1175, ways and means. (HF 733 and SF 575 similar subject matter)
- Property tax exemptions, federal and state, municipal and military property, religious, literary, and scientific societies, public airports, hospitals, institutions for public charity, health care facilities, private colleges and universities, schools, cemetery associations, etc. HF 1197, ways and means.

WEAPONS—

(Also see Firearms)

General

- Increase county fees for serving subpoenas, notice, warrants, summonses, etc., also for permit to carry concealed weapons. HF 1284, county government.

WEEDS—

General

- Use of weed seed in commercial feed. HF 1062, Priebe.

WINE—

(See Alcoholic Beverages)

WITNESSES—

General

- Increase expert witnesses fees. SF 1015, judiciary.

WOMEN—

General

- Statutory provisions affecting the legal treatment of female persons. HF 1114, Lipsky et al.; SF 1083, Doderer.
- Establish a commission on status of women. HF 1140, Shaw, et al.; SF 1211, judiciary.

WORKMEN'S COMPENSATION—

General

- Establish a workmen's compensation court. SF 1137, Kennedy; HF 1236, Shaw and Knoke.
- Increase benefits for unemployment compensation. HF 1248, Gluba, et al.
- Occupational hearing loss, workmen's compensation. SF 1215, human and industrial relations.

WRESTLING—

(See Sports)

ZONING—

(Also see Annexation)

General

- Allow cities and towns to extend agreements to refrain from annexing specifically described territory. SF 1198, ways and means.

GENERAL INDEX

ADDRESSED JOINT CONVENTION—

(See Joint Conventions and also Addressed the House)

ADDRESSED THE HOUSE—

(See also Joint Convention)

William H. Harbor, Speaker of the House—3, 1446

AGRICULTURE, COMMITTEE ON—

Bills introduced—1084, 1181, 1210, 1270, 1278, 1285

Amendments filed—288, 516, 905

Reports—288, 516

Resolutions offered—299, 496, 1246

ALT, DON D.—Representative Polk County

Bills introduced—1043, 1047, 1124, 1196

Amendments filed—694, 1023, 1042, 1069, 1277, 1324

Amendments offered—633

Committee appointments—8, 11, 404, 811, 1367, 1451

Reports—1403, 1437

Resolutions offered—631

ANANIA, SAMUEL F.—Representative Polk County

Bills introduced—1056, 1153, 1248

Amendments filed—427, 519, 621, 1239

Resolutions offered—1073

ANDERSEN, LEONARD C.—Representative Woodbury County

Bills introduced—1003, 1046, 1058, 1092, 1095, 1097, 1122, 1135, 1166, 1167, 1174, 1187, 1196, 1204

Amendments filed—47, 94, 207, 309, 427, 520, 552, 554, 863, 1118

Amendments offered—55

Amendments withdrawn—130, 639, 965

Petitions presented—523

Resolutions offered—900, 936, 1073, 1090

APPROPRIATIONS, COMMITTEE ON—

Appointed—70

Bills introduced—1213, 1214, 1247, 1279, 1280, 1281, 1282, 1291, 1292, 1293, 1294, 1295, 1296, 1297, 1298, 1299, 1300

Amendments filed—304, 595, 613, 937, 1404

Amendments offered—456, 779, 780, 955

Reports—68, 304, 595, 613, 821, 937, 981, 1403, 1404

Resolutions offered—1062

ASSISTANT MAJORITY FLOOR LEADERS—

Robert M. Kreamer, Representative Polk County

(See Kreamer, Robert M.—Representative Polk County, Assistant Majority Floor Leader)

Richard F. Drake, Representative Muscatine County

(See Drake, Richard F.—Representative Muscatine County, Assistant Majority Floor Leader)

ASSISTANT MINORITY FLOOR LEADER—Berl E. Priebe, Representative Kossuth-Humboldt Counties

(See Priebe, Berl E.—Representative Kossuth-Humboldt Counties, Assistant Minority Floor Leader)

BECAME LAW BY PUBLICATION—

House File 367—1464

House File 1001—1465

House File 1016—857

House File 1071—1465

House File 1074—1464
 House File 1075—1465
 House File 1133—1466
 House File 1147—1465
 House File 1176—1464
 House File 1213—1464
 House File 1265—1465
 House File 1286—1466

BENNETT, VERNON N.—Representative Polk County

Bills introduced—1021, 1023, 1056, 1196, 1248
 Amendments filed—42, 551, 621
 Amendments offered—42
 Amendments withdrawn—814
 Committee appointments—8, 1128
 Presented to the House the Honorable Thomas A. Renda, Municipal Court
 Judge and former member of the House—36
 Reports—1263
 Resolutions offered—631, 1090

BERGMAN, IRVIN L.—Representative Lyon-Dickinson-Osceola Counties

Bills introduced—1212, 1225
 Amendments filed—243, 521
 Amendments offered—567
 Call of the House requested—1429
 Presented to the House the Honorable Roy J. Smith, former member of
 the House—1251
 Resolutions offered—1073

BILLS—

Index to action on House Joint Resolutions and House Files—1476
 Index to action on Senate Joint Resolutions and Senate Files—1508
 Companion Bills, List of—1475
 Approved after session—1456

BLOUIN, MICHAEL T.—Representative Dubuque County

Bills introduced—J.R. 1003, 1005; 1022, 1030, 1050, 1056, 1102, 1111, 1114,
 1119, 1121, 1126, 1132, 1149, 1153, 1155, 1186, 1190, 1191, 1217, 1248
 Amendments filed—153, 155, 191, 227, 348, 349, 350, 367, 427, 520, 621, 841,
 1024, 1121, 1229, 1278
 Amendments offered—259, 367, 375, 382, 841, 1229
 Amendments withdrawn—370, 443, 1332
 Call of the House requested—1084
 Committee appointments—11
 Objection to Senate File 1300 on noncontroversial calendar—1402
 Petitions presented—1252, 1301
 Resolutions offered—526, 603, 900, 936, 1073

BRAY, DANIEL L., JR.—Representative Scott County

Bills introduced—1056, 1102, 1155, 1241
 Amendments filed—42, 164, 168, 219, 621, 863, 884, 911, 959, 1065, 1068, 1121,
 1381, 1408
 Amendments offered—42, 168, 241, 911, 1088, 1232, 1340, 1381, 1422
 Amendments withdrawn—1088
 Committee appointments—2
 Resolutions offered—631, 992

BUDGET AND FINANCIAL CONTROL COMMITTEE—

Report to the Sixty-fourth General Assembly (Second Session)—74

CALL OF THE HOUSE—

On House File 366—1341
 On House File 1011—1084
 On Senate File 1214—1429

CAMP, JOHN—Representative Clinton County

Bills introduced—J.R. 1007; 1016, 1056, 1100, 1164, 1229
 Amendments filed—30, 60, 263, 307, 391, 456, 553, 695, 696, 830, 958, 960,
 985, 986, 1048, 1069, 1070
 Amendments offered—30, 396, 456, 587, 967, 1060, 1140, 1228
 Amendments withdrawn—608
 Announcement of appropriations committee—855
 Call of the House requested—1085
 Committee appointments—12, 251, 433, 811
 Official delegate to attend the funeral of the Honorable Scott Swisher,
 former member of the House—313
 Petitions presented—66, 410, 699, 865
 Presented to the House Anka Romanova of Yugoslavia, a Youth for
 Understanding exchange student—1047
 Reports—498
 Resolutions offered—24, 433, 631, 774, 980, 1126

CAMPBELL, HERBERT L.—Representative Henry-Jefferson-Washington Counties

Bills introduced—J.R. 1006, 1007; 1096, 1116, 1153, 1215
 Amendments filed—187, 190, 191, 227, 349, 445, 827, 829, 905, 1117
 Amendments offered—234, 374, 377, 445, 913
 Committee appointments—9, 12, 867, 1128
 Petitions presented—452, 583
 Presented to the House the Honorable Keith L. Vetter, former member of
 the House—988
 Resolutions offered—24, 455, 603, 1073

CHIEF CLERK OF THE HOUSE, William R. Kendrick

Acknowledgments—25, 29, 123
 Announcements (Committee Reports)—61, 69, 90, 103, 121, 142, 166, 194,
 211, 250, 265, 275, 297, 311, 353, 393, 410, 494, 524, 560, 583, 603, 629, 699,
 772, 831, 865, 908, 940, 963, 987, 1410
 Announcements made—36, 67
 Authorized to make corrections—608, 808, 842
 Communications from—13, 22, 123, 923, 1279, 1280
 Report received (Budget and Financial Control Committee)—74
 Received gift—1099
 Resolution relating to, H.R. 101—1326, 1358
 Resolution relating to, S.C.R. 121—1225, 1359

CHIEF JUSTICE OF THE SUPREME COURT, The Honorable C. Edwin Moore
Rules of Civil Procedure, report—123**CHRISTENSEN, PERRY L.**—Representative Decatur-Ringgold-Union Counties

Bills introduced—1034, 1042, 1082, 1092, 1097, 1161, 1212, 1225
 Amendments filed—48, 246, 262, 429, 440, 447, 598, 1274, 1393
 Amendments offered—439, 440, 441
 Committee appointments—7, 9, 434, 1451
 Objection to Senate File 323 on noncontroversial calendar—1327
 Petitions presented—393, 699, 1123, 1223
 Presented to the House the Honorable Arlo Hullinger, former member of
 the House—249
 Reports—586, 1103
 Resolutions offered—24, 300, 951, 1073, 1090, 1114

CITIES AND TOWNS, COMMITTEE ON—

Amendments filed—163
 Amendments offered—213
 Reports—163

CLAIMS—

(See Judiciary Committee)
 (See Claims Filed)
 (See Comptroller of Iowa)
 (See State Appeal Board)

CLAIMS FILED—

(See State Appeal Board)
 (See Comptroller of Iowa)
 Claims filed—29, 30
 Claims approved—26-28
 Communication from State Appeal Board—29
 Communication from State Comptroller—25
 Resolution relating to, H.C.R. 128—1062, 1281

CLARK, JOHN H.—Representative Lee County

Bills introduced—J.R. 1002; 1038, 1039, 1056, 1153, 1196
 Amendments filed—88, 427, 693, 1412
 Amendments offered—785, 808, 1412
 Call of the House requested—1085
 Committee appointments—2, 12
 Presented to the House the Honorable Charles F. Eppers, former state
 Senator—1097
 Request that Senate File 418 be removed from noncontroversial calendar
 —605
 Resolutions offered—497

**COCHRAN, DALE M.—Representative Calhoun-Webster Counties, Minority
Floor Leader**

Bills introduced—J.R. 1006; 1056, 1091, 1155
 Amendments filed—187, 207, 348, 349, 427, 458, 512, 552, 621, 625, 903, 920,
 984, 985, 986, 1043, 1221
 Amendments offered—373, 384, 458, 512, 976, 1011, 1034
 Amendments reoffered—1015
 Amendments withdrawn—459, 945, 1011
 Call of the House requested—1084
 Committee appointments—9, 12, 811, 1451
 Challenged the ruling of the chair—257
 Motion to withdraw Senate File 1214 from appropriations—1416
 Presented to the House the Honorable Dan Johnston, former member of
 the House—66
 Received gift—1099
 Resolutions offered—526, 900, 936, 1114, 1126, 1326, 1365

COMMERCE, COMMITTEE ON—

Bills introduced—1033, 1052, 1053, 1087, 1117, 1128, 1272, 1273
 Amendments filed—326, 406, 467
 Amendments offered—424, 632, 846
 Reports—88, 244, 326, 328, 406, 407, 466, 467

**COMMITTEES—(List of, as under individual heads in General Index not in-
cluding standing committees)**

Budget and Financial Control
 Conference
 Interim
 Legislative Council
 Mileage
 Noncontroversial Bills
 Personnel
 Rules
 Sifting
 Special

COMMITTEES, SPECIAL—

Appointments—2, 4, 15, 1451
 Notify Governor Ray—1, 15, 1451
 Escort Governor Ray—15, 22
 Notify and escort President of the Senate—14
 Escort Secretary of Senate—14
 Notify Senate—2, 14, 1451
 From Senate—4, 1451
 Reports—3, 14, 1451, 1455

COMMUNICATIONS FROM—

Governor Robert D. Ray—1452
 Chief Clerk—13, 22, 123, 923, 1279, 1280
 Secretary of State—857, 1223, 1405, 1464, 1465-1466
 Serge H. Garrison, Director of Legislative Service Bureau—14
 Speaker of the House—1074
 State Appeal Board—29
 State Board of Tax Review—1280
 State Comptroller—25

COMPANION BILLS—

List of House and Senate companion bills—1475

COMPTROLLER OF IOWA—

Communications from—25, 29
 Resolution relating to, H.C.R. 113—526, 603

CONFERENCE COMMITTEES—

On House File 69—1282, 1344, 1379
 On House File 734—979, 1128, 1415
 On House File 1011—778, 993
 On House File 1156—1402, 1436
 On House File 1279—1424
 On Senate File 85—528, 867, 1128, 1254
 On Senate File 392—251, 497, 563
 On Senate File 428—869, 1146, 1267
 On Senate File 431—434, 585, 1102
 On Senate File 1091—1111, 1129, 1306

CONGRESS AND/OR PRESIDENT OF THE UNITED STATES—

Resolutions relating to:
 House Concurrent Resolution 102—24, 70
 House Concurrent Resolution 111—496, 1037

CONSERVATION AND RECREATION, COMMITTEE ON—

Bills introduced—1207, 1219, 1235
 Amendments filed—118, 200, 405, 787
 Amendments offered—240
 Amendments withdrawn—506
 Reports—118, 119, 200, 273, 405

CONSTITUTIONAL AMENDMENTS AND REAPPORTIONMENT, COMMITTEE ON—

Bills introduced—J.R. 1004
 Reports—199, 274

COUNTY GOVERNMENT, COMMITTEE ON—

Bills introduced—1012, 1013, 1014, 1015, 1036, 1044, 1120, 1129, 1250, 1263, 1266, 1284, 1289
 Amendments filed—73, 163, 548, 614, 826
 Amendments offered—73, 215
 Amendments withdrawn—93
 Reports—162, 163, 326, 465, 516, 548, 614

- CURTIS, WARREN E.**—Representative Cherokee-Ida Counties
Bills introduced—1056, 1058, 1091, 1092, 1097, 1133, 1225
Amendments filed—408, 706, 958
Amendments offered—706
Amendments withdrawn—1265
Committee appointments—11
Petitions presented—1072
Resolutions offered—631
- DEN HERDER, ELMER**—Representative Sioux-Lyon Counties
Amendments filed—45, 519, 696, 958, 983, 1022, 1407
Amendments offered—54, 610
Amendments withdrawn—1265
Committee appointments—13, 811, 1451
Presented to the House the Honorable Conrad Ossian, former member of the House—310
Resolutions offered—24, 196, 563, 1023
- DOUGHERTY, TOM**—Representative Marion-Monroe Counties
Bills introduced—1056, 1058, 1093, 1161, 1243
Amendments filed—56, 621, 1274
Amendments offered—56
Committee appointments—11
Petitions presented—699
Presented to the House state president of the Boys 4-H Club, Mike Peterson of Albia—409
Escorted to the Speaker's Station and presented to the House Tracy Casady, the Iowa Easter Seal Sweetheart for 1972—987
Presented to the House Miss Emily Vander Ploeg, Queen of the Pella Tulip Festival and her court, who extended to the House an invitation to attend the Pella Tulip Festival—1325
Resolutions offered—1126
- DOYLE, DONALD V.**—Representative Woodbury County
Bills introduced—1006, 1029, 1042, 1056, 1058, 1092, 1093, 1095, 1097, 1153, 1161, 1187, 1228, 1229
Amendments filed—45, 46, 94, 427, 429, 552, 554, 621, 960, 970, 1274, 1324
Amendments offered—57, 436, 441, 970, 1396
Amendments withdrawn—436, 607, 639
Committee appointments—9, 13, 1451
Petitions presented—629
Resolutions offered—300, 791, 1073
- DRAKE, RICHARD F.**—Representative Muscatine County, Assistant Majority Floor Leader
Bills introduced—J.R. 1007; 1166, 1167, 1196
Amendments filed—350, 391, 392, 696, 905, 920, 1022, 1043
Amendments offered—396, 1052
Committee appointments—8, 12, 63, 1128
Presided at sessions of the House—967
Received gift—1099
Reports—1263
- DUNTON, KEITH H.**—Representative Iowa-Keokuk Counties
Bills introduced—1008, 1058, 1063, 1088, 1092, 1093, 1097, 1130, 1196, 1243
Amendments filed—248, 251, 427, 520, 621, 764
Amendments offered—254
Committee appointments—12, 63, 404, 1111, 1368
Official delegate to attend funeral services of the Honorable Scott Swisher, former member of the House—313
Presented to the House Dr. Harold Moessner, representing the Iowa Chapter of the American Academy of Family Physicians—36

Presented to the House Laete Fernandes De Sousa, a foreign exchange student from Brazil—1097
 Reports—498, 1130, 1307, 1424
 Resolutions offered—196, 313

EDELEN, ROLLIN C.—Representative Emmet-Kossuth Counties

Bills introduced—1027, 1056, 1146, 1196
 Amendments filed—46, 187, 348, 473, 859, 938, 1220
 Petitions presented—102, 142, 230, 940
 Resolutions offered—900, 936, 992, 1073

EGENES, SONJA—Representative Story County

Bills introduced—J.R. 1001; 1086, 1114, 1140, 1142, 1163, 1230
 Amendments filed—615, 710, 766, 959, 1023, 1054
 Amendments offered—710, 1054, 1086, 1088
 Amendments withdrawn—638, 1086
 Resolutions offered—50, 631, 900, 936, 992, 1073, 1090, 1106

ELLSWORTH, THEODORE R.—Representative Dubuque County

Bills introduced—J.R. 1007; 1056, 1092, 1097, 1098, 1102, 1131, 1132, 1141, 1151, 1159, 1162, 1165, 1166, 1167, 1172, 1196
 Amendments filed—449, 519, 520, 552, 554, 556, 696, 902, 919, 983
 Amendments offered—611, 701
 Amendments withdrawn—607, 608
 Committee appointments—11, 1128, 1451
 Petitions presented—699
 Request his name be withdrawn as sponsor of amendment filed to Senate File 77—104
 Resolutions offered—912, 1073, 1327

EMPLOYEES—

(See Officers and Employees)

ENROLLED BILLS—

Reports of House Committee (Sent to Governor)—326, 821, 857, 1093, 1115, 1318, 1405, 1449
 Reports of House Committee (Sent to Secretary of State)—325, 1449
 Reports of Joint Committee—325, 446, 515, 612, 821, 857, 917, 957, 1021, 1040, 1093, 1115, 1219, 1296, 1318, 1347, 1405, 1448

ENVIRONMENTAL PRESERVATION, COMMITTEE ON—

Bills introduced—1176
 Amendments filed—136
 Amendments offered—197
 Amendments withdrawn—367
 Reports—135, 516

EWELL, VERNON A.—Representative Black Hawk County

Bills introduced—J.R. 1003, 1008; 1027, 1056, 1130, 1152, 1248
 Amendments filed—40, 209, 306, 398, 520, 597, 601, 621, 765, 1273, 1362
 Amendments offered—40, 398, 639, 838, 1362
 Amendments withdrawn—838
 Challenged the ruling of the chair—1362
 Committee appointments—15, 979
 Reports—1129, 1415
 Resolutions offered—251, 252, 868, 964

EXECUTIVE COUNCIL—

Resolution relating to, S.C.R. 114—912-913

EXPLANATION OF VOTE—

House Concurrent Resolution 115—Representative Hansen—991
 House File 30—Representative Hansen—991
 House File 48—Representative Doyle—496

House File 367—Representative Hansen—991
 House File 465—Representative Sargisson—251
 House File 472—Representative Sargisson—251
 House File 494—Representative Sargisson—251
 House File 574—Representative Sargisson—251
 House File 734—Representatives Anania and Dougherty—900
 House File 734—Representative Hansen—991
 House File 1001—Representative Monroe—44
 House File 1001—Representatives Jesse, Kennedy, Johnston, Skinner,
 Small, Uban, Schmeiser, and Bray—45
 House File 1007—Representative Sargisson—251
 House File 1036—Representative Sargisson—251
 House File 1052—Representative Sargisson—251
 House File 1156—Representative Anania—900
 Senate File 77—Representative Sargisson—251
 Senate File 202—Representative Hansen—991
 Senate File 203—Representative Sargisson—251
 Senate File 334—Representative Hansen—991
 Senate File 428—Representative Hansen—609
 Senate File 428—Representative Small—1281
 Senate File 1069—Representative Hansen—991

EXTENSION OF TIME—

On House File 633—261

FISCHER, HAROLD O.—Representative Grundy-Marshall Counties

Bills introduced—1026, 1089, 1109, 1112, 1148, 1157
 Amendments filed—153, 209, 289, 519, 554, 616, 696, 919, 920, 1043, 1045
 Amendment refiled—384
 Amendments offered—182, 384, 973, 974
 Amendments withdrawn—377, 607, 710
 Call of the House requested—1341
 Committee appointments—10, 11, 811, 1282, 1451
 Official delegate to attend funeral of the Honorable Scott Swisher, former
 member of the House—313
 Presented to the House the Honorable W. L. Mooty, former member of the
 House, serving as Speaker and former Lieutenant Governor—906
 Resolutions offered—1113, 1266

FISHER, C. RAYMOND—Representative Greene-Guthrie Counties

Bills introduced—1005, 1208
 Amendments filed—46, 187, 227, 309, 622, 901, 960, 982, 1022, 1117, 1249, 1376
 Amendments offered—56, 969, 1056, 1344, 1362, 1376
 Amendments withdrawn—638, 965
 Committee appointments—12, 13, 104, 778
 Petitions presented—940
 Presented to the House YFU exchange students from Brazil—988
 Presented to the House and escorted to the Speaker's Station Judy Merritt
 from Guthrie Center, who was crowned queen of the 1972 girls bas-
 ketball tournament—1046
 Presented to the House Julia Fleming from Southport, England, who is a
 Rotary Exchange student, and Elena Grijelma from Bilboa, Spain, an
 A.F.S. Student—1097
 Reports—1009
 Resolutions offered—104

FRANKLIN, A. JUNE—Representative Polk County

Bills introduced—J.R. 1001; 1050, 1056, 1114, 1140, 1142
 Amendments filed—400, 621
 Amendments offered—400
 Committee appointments—10, 778, 834, 1451
 Petitions presented—249

Received gift—1099

Resolutions offered—50, 834, 900, 936

FREEMAN, DENNIS L.—Representative Buena Vista-Clay-O'Brien Counties

Bills introduced—1092, 1097, 1143, 1185, 1186, 1194, 1211, 1215

Amendments filed—207, 219, 447, 474, 552, 693, 696, 706, 764, 828, 919, 1043, 1221

Amendments offered—160, 641, 710, 846

Amendments withdrawn—965

Committee appointments—10, 11

Presented to the House his father, the Honorable Lester M. Freeman, former member of the House—583

Presented to the House the Honorable Francis Johnson, former member of the House—628

Resolutions offered—562, 1073, 1090, 1295, 1358

GENERAL ASSEMBLY—

(See House Concurrent Resolutions)

(See House Resolutions)

(See Senate Concurrent Resolutions)

GLUBA, WILLIAM E.—Representative Scott County

Bills introduced—J.R. 1001, 1003, 1008; 1049, 1050, 1056, 1102, 1110, 1196, 1221, 1229, 1238, 1241, 1243, 1244, 1248

Amendments filed—42, 219, 220, 227, 242, 349, 398, 427, 473, 492, 552, 558, 621, 1024, 1095, 1121, 1240, 1250, 1278, 1832, 1408

Amendments offered—42, 242, 258, 590, 593, 703, 712, 1140, 1240, 1332

Amendments withdrawn—1265, 1332

Appeal ruling of the Chair—1141

Call of the House requested—1085

Explanation of motion to suspend rules—1143

Resolutions offered—631, 900, 936, 1073, 1126

GOODE, DEWEY—Representative Davis-Wapello Counties

Committee appointments—8, 11

GOVERNOR RAY, ROBERT D.—

Committee to notify—1, 15, 1451

Committee to escort—15, 22

Addressed joint convention—15

Resolution relating to State-of-the-State message (H.C.R. 101)—2

State-of-the-State message—15

Communications from—1452

Bills signed by—446, 548, 936, 957, 1064, 1248, 1296, 1318, 1348, 1450, 1456, 1460

Resolution relating to, S.C.R. 130—1365

Veto Messages—1247, 1460-1464

Closing message—1452-1455

GRASSLEY, CHARLES E.—Representative Butler-Floyd Counties

Bills introduced—1032, 1058, 1101, 1130, 1208

Amendments filed—45, 46, 208, 391, 491, 546, 608, 697, 714, 764, 986, 1069, 1274

Amendments offered—216, 529, 608, 843, 1110

Committee appointments—8, 870

Petitions presented—631, 940

Reports—1219

Resolutions offered—631, 1090, 1270, 1358

HAMILTON, HOWARD A.—Representative Cedar-Muscatine-Scott Counties

Committee appointments—63, 70

Resolutions offered—63

Presented to the House the Honorable A. L. Mensing, former member of the House—628

- HANSEN, WILLARD**—Representative Black Hawk County
 Bills introduced—J.R. 1002, 1007; 1019, 1056, 1092, 1097, 1130, 1141, 1144, 1146, 1162, 1196, 1216
 Amendments filed—140, 400, 427, 520, 554, 556, 597, 696, 1024, 1043
 Amendments offered—184, 400
 Amendments withdrawn—607, 608
 Committee appointments—9, 811, 1282
 Petitions presented—166, 523, 832, 1099, 1358
 Presented to the House the Honorable Iver Christoffersen, former member of the House—310
 Reports—1347
 Resolutions offered—1073, 1327
- HARBOR, WILLIAM H.**—
 (See Speaker of the House—William H. Harbor, Representative Mills-Montgomery-Page Counties)
- HIGHER EDUCATION, COMMITTEE ON**—
 Reports—550
- HILL, PHILIP B.**—Representative Polk County
 Bills introduced—J.R. 1002, 1007; 1056, 1096
 Amendments filed—88, 218, 427, 473, 986, 1116, 1220, 1304
 Amendments offered—93, 224, 509, 1304, 1388
 Amendments withdrawn—510, 511, 1388
 Committee appointments—1451
 Resolutions offered—992, 1107
- HOLDEN, EDGAR H.**—Representative Scott County
 Bills introduced—1077, 1194, 1228, 1241, 1255
 Amendments filed—46, 68, 99, 246, 262, 427, 447, 474, 491, 517, 521, 546, 616, 626, 627, 693, 696, 938, 982, 1043, 1299, 1407
 Amendments offered—505, 546, 594, 640, 708, 709, 831, 882, 890, 1055, 1303, 1331
 Amendments withdrawn—705, 832, 884, 891
 Committee appointments—10, 12, 979, 1451
 Petitions presented—523, 603
 Reports—45, 1129, 1415
 Resolutions offered—196, 992, 1073
- HUMAN AND INDUSTRIAL RELATIONS, COMMITTEE ON**—
 Bills introduced—1001
- HUSAK, EMIL J.**—Representative Black Hawk-Tama Counties
 Bills introduced—1056, 1058, 1091, 1093, 1158, 1248
 Amendments filed—519, 1393
 Objection to Senate File 323 on noncontroversial calendar—1327
 Petitions presented—629
 Resolutions offered—900, 936, 1073
- INTERIM COMMITTEES**—
 (See Legislative Council Committee)
- IOWA DEVELOPMENT, COMMITTEE ON**—
 Bills introduced—1156, 1193
- JESSE, NORMAN**—Representative Polk County
 Bills introduced—1056, 1196, 1248
 Amendments filed—155, 220, 556, 621, 782, 830, 884, 920, 921, 970, 984, 1011, 1068, 1121, 1230
 Amendments offered—782, 884, 933, 970, 1011, 1132, 1230
 Amendments reoffered—1013

Amendments withdrawn—1016
 Committee appointments—11, 834
 Petitions presented—249
 Resolutions offered—1028

JOHNSTON, JOSEPH C.—Representative Johnson County

Bills introduced—1056
 Amendments filed—400, 622, 782, 1019, 1121
 Amendments offered—566, 782, 1019
 Amendments withdrawn—1019
 Committee appointments—8, 313
 Objection to Senate File 1300 on noncontroversial calendar—1402
 Official delegate to attend funeral services of the Honorable Scott Swisher,
 former member of the House—313
 Resolutions offered—313, 631

JOINT CONVENTION—

Resolutions relating to, H.C.R. 101—2
 To receive State-of-the-State Message of Governor Robert D. Ray—15-22
 Lieutenant Governor Roger W. Jepsen presided—14
 Remarks by Governor Robert D. Ray—1452-1455

JUDICIARY, COMMITTEE ON—

Bills introduced—1037, 1198, 1203, 1260, 1268, 1271, 1275, 1287
 Amendments filed—305, 328, 451, 471
 Amendments offered—394, 436, 574
 Amendments withdrawn—608
 Reports—304, 305, 328, 386, 470, 471, 581, 612, 613, 714

KEHE, LUVERN W.—Representative Bremer-Chickasaw Counties

Bills introduced—J.R. 1007; 1056, 1100, 1116, 1136, 1146, 1148
 Amendments filed—48, 53, 309, 429, 802, 919, 1023, 1042, 1043, 1045, 1274,
 1277, 1297
 Amendments offered—51, 53, 370, 802, 1182, 1370
 Call of the House requested—1341, 1429
 Committee appointments—11, 14, 528
 Petitions presented—431, 699
 Reports—40, 867
 Resolutions offered—631

KELLY, E. KEVIN—Representative Woodbury County

Bills introduced—J.R. 1007; 1018, 1019, 1041, 1042, 1051, 1056, 1069, 1092,
 1094, 1097, 1102, 1118, 1161, 1170, 1187, 1196, 1229, 1231
 Amendments filed—56, 400, 552, 554, 617, 861, 984, 1118
 Amendments offered—638
 Amendments withdrawn—883
 Committee appointments—9, 11, 15
 Petitions presented—103, 629
 Resolutions offered—300, 1073, 1327

KENDRICK, WILLIAM R.—

(See Chief Clerk of the House)

KENNEDY, MICHAEL K.—Representative Chickasaw-Howard-Winneshiek Counties

Bills introduced—1054, 1056, 1102, 1132, 1141, 1146
 Amendments filed—621, 627, 921, 959, 984, 1032, 1121, 1220
 Amendments offered—934, 1082, 1088
 Amendments withdrawn—898
 Appointed to Criminal Code Review Study Committee—7
 Committee appointments—7, 14
 Objection to Senate File 1300 on noncontroversial calendar—1402
 Resolutions offered—24, 631

- KINLEY, GEORGE R.**—Representative Polk County
Bills introduced—1040, 1056, 1060, 1105
Amendments filed—427, 519, 520, 552, 617, 1273, 1324
Amendments withdrawn—638
Call of the House requested—1084
Committee appointments—13, 1451
Petitions presented—142
Presented to the House the Honorable Bernard O'Malley, former member of the House—49
Resolutions offered—631, 834, 1125
- KNOBLAUCH, CHARLES E., SR.**—Representative Carroll-Crawford Counties
Bills introduced—J.R. 1006; 1025, 1056, 1091, 1102, 1153, 1248
Amendments filed—227, 621, 1239, 1274
Committee appointments—3, 104, 1451
Petitions presented—583, 603, 1123
Presented to the House the Honorable Everett Crane, former member of the House—988
Presented to the House exchange students, Brenda Garcia, Peru, and Bill Tan from the Philippines—988
- KNOKE, GEORGE J.**—Representative Pottawattamie County
Bills introduced—J.R. 1002, 1007; 1056, 1059, 1137, 1179, 1180, 1184, 1206, 1209, 1236
Amendments filed—56, 68, 99, 521, 551, 554, 582, 601, 627, 709, 829, 960, 984, 1299, 1356, 1407
Amendments offered—64, 125, 593, 709, 1076, 1303, 1386
Amendments withdrawn—64, 607, 608
Appointed to Criminal Code Review Study Committee—7
Committee appointments—2, 7, 12, 370
Objection to Senate File 1210 on noncontroversial calendar—1399
Reports—1219
Request that Senate File 418 be removed from noncontroversial calendar—605
Resolutions offered—631, 632, 1281
- KREAMER, ROBERT M.**—Representative Polk County, Assistant Majority Floor Leader
Bills introduced—J.R. 1002; 1007, 1080, 1196, 1205, 1210
Amendments filed—119, 162, 164, 167, 192, 400, 447, 473, 596, 598, 616, 775, 830, 902, 903, 920, 921, 982, 983, 986, 1385
Amendments offered—162, 507, 775, 814, 933, 1053, 1385, 1411
Amendments withdrawn—167, 508, 779, 814, 933, 965
Announcements—979
Call of the House requested—1429
Committee appointments—11, 13, 1111, 1451
Presided at sessions of the House—896, 979, 1060, 1230, 1291, 1306, 1331, 1337, 1342, 1426
Received gift—1099
Reports—1130, 1307
Requested that House File 1205 be removed from the noncontroversial sifting committee calendar—1385
Resolutions offered—631, 1028
Rulings made—396, 1235
- KRUSE, WALTER W. P.**—Representative Clay-O'Brien Counties
Bills introduced—1031, 1196
Amendments filed—219, 243, 245, 513, 1407
Amendments offered—243, 505, 523
Amendments withdrawn—523
Call of the House requested—1429
Committee appointments—434

Reports—586

Requested that Senate File 418 be removed from noncontroversial calendar—605

Resolutions offered—1103

LARSON, LARRY N.—Representative Jasper-Story Counties

Bills introduced—1056, 1102, 1139, 1196, 1231, 1248

Amendments filed—617, 621, 766, 921, 959, 984, 986, 1024, 1067

Amendments offered—884, 1087, 1088

Resolutions offered—900, 936, 992, 1073, 1328

LAW ENFORCEMENT, COMMITTEE ON—

Bills introduced—1057, 1169, 1254, 1261, 1262, 1267, 1274

Amendments filed—580

Reports—94, 260, 304, 465, 516, 579

LAWSON, MURRAY C.—Representative Cerro Gordo County

Bills introduced—J.R. 1007; 1056, 1063, 1160, 1166, 1167, 1168, 1171, 1239

Amendments filed—99, 191, 246, 697, 802, 920, 1022, 1043, 1068, 1118, 1277

Amendments offered—381, 802, 1145, 1285, 1381

Amendments withdrawn—382, 1336

Call of the House requested—1341

Committee appointments—63, 367, 1363

Petitions presented—410, 833

Reports—1128, 1424

Resolutions offered—24, 62

LEGISLATIVE EMPLOYEES—

(See Officers and Employees)

LEGISLATIVE COUNCIL COMMITTEE—

Committee appointments—7-13

Criminal Code Review Study Committee (S.J.R. 18)—7

Local Governments Financial Study Committee—8

Department of Transportation Study Committee—8

School Systems and Standards Study Committee (S.C.R. 39-S.C.R. 45)—8

Higher Education Study Committee (H.C.R. 9)—9

Penal and Correctional Systems Study Committee (H.C.R. 22)—9

Land Use Policies Study Committee (H.C.R. 25)—9

Bank Holding Companies Study Committee (S.C.R. 28)—10

Assistance Grant Programs Study Committee (H.C.R. 48)—10

Mental Health and Juvenile Institutions Study Committee—10

SUBCOMMITTEES:

Appropriations (Transportation Subcommittee)—10

Cities and Towns (Municipal Code Subcommittee)—11

Commerce (Commerce Commission Subcommittee)—11

Commerce and Judiciary (No-Fault Insurance Subcommittee)—11

Environmental Preservation (Environmental Agencies Subcommittee)—11

Environmental Preservation (Radiation Subcommittee)—12

Human and Industrial Relations (Amusement Rides Subcommittee)—12

Social Services (Nursing Homes Subcommittee)—12

State Government (Building Code Subcommittee)—12

State Government (Voter Residency and Registration Subcommittee)—12

Ways and Means (Tax Exemptions Subcommittee)—13

Ways and Means (Tax Assessments Subcommittee)—13

Resolutions relating to:

House Concurrent Resolution 115 (Life Lite)—631, 980, 981

Senate Concurrent Resolution 105 (Courts)—856, 1037

Senate Concurrent Resolution 122 (Interim)—1226, 1359

LEGISLATIVE EXPENDITURES—

Resolutions relating to:

Senate Concurrent Resolution 101—6, 44

Senate Concurrent Resolution 119—1224-1225, 1358

LINCOLN'S BIRTHDAY—
Observance of—409

LIPSKY, JOAN—Representative Linn County

Bills introduced—J.R. 1001; 1016, 1035, 1045, 1056, 1063, 1079, 1082, 1114, 1140, 1142, 1212
 Amendments filed—56, 408, 449, 473, 840, 861, 959, 982, 986, 1042, 1117, 1131, 1132, 1277, 1278, 1407
 Amendments offered—56, 440, 566, 567, 592, 840, 885, 1131, 1132, 1417
 Amendments reoffered—591
 Amendments withdrawn—441, 592, 887, 1332
 Call of the House requested—1085
 Committee appointments—10, 14
 Objection to Senate File 1210 on noncontroversial calendar—1399
 Petitions presented—453, 923, 1098
 Reports—14
 Resolutions offered—24, 50, 631, 775, 1295

LOGEMANN, KENNETH L.—Representative Cerro Gordo-Winnebago-Worth Counties

Bills introduced—1056, 1092, 1097, 1103, 1127, 1196
 Amendments filed—246, 427, 802, 859, 865, 903, 1018, 1118, 1407, 1450
 Amendments offered—263, 1018
 Committee appointments—7, 63
 Petitions presented—249, 250, 907, 923
 Presented to the House the Honorable Dale E. Erdahl, State Representative from Blue Earth, Minnesota—698
 Resolutions offered—300, 900, 936

MAJORITY FLOOR LEADER, Andrew Varley—Representative Adair-Adams-Taylor Counties

(See Varley, Andrew—Representative Adair-Adams-Taylor Counties, Majority Floor Leader)

MAYBERRY, D. VINCENT—Representative Webster County

Bills introduced—1056, 1091, 1092, 1097, 1140, 1248
 Amendments filed—621, 696, 764, 1022, 1278
 Amendments offered—1333
 Committee appointments—12, 811
 Resolutions offered—631, 1073

MCCORMICK, HAROLD C.—Representative Delaware-Jones Counties

Bills introduced—1042, 1053, 1092, 1097, 1132, 1153, 1155, 1196, 1229, 1248
 Amendments filed—520, 621, 904
 Amendments withdrawn—612
 Call of the House requested—1084
 Committee appointments—9
 Resolutions offered—300, 992, 1073

McELROY, LILLIAN—Representative Fremont-Page Counties

Bills introduced—J.R. 1001; 1056, 1058, 1093, 1114, 1140, 1142, 1146, 1196
 Amendments filed—1407
 Committee appointments—2, 10, 1111
 Petitions presented—453, 832, 908
 Presented to the House Hilde Tutterin, an American Field Service exchange student from Norway—988
 Reports—1130, 1307
 Resolutions offered—50

MEMORIALS—

Committees appointed—50, 63, 104, 313, 433, 834
 Resolutions relating to—50, 62, 63, 104, 313, 433, 834
 In Memoriam List—1467
 Memorials—1468-1474

MENDENHALL, JOHN C.—Representative Allamakee-Winneshiek Counties

Bills introduced—1031, 1058, 1093, 1116, 1132, 1145, 1146

Amendments filed—706, 960, 1118, 1274

Committee appointments—50

Petitions presented—772

Presented to the House the Honorable Walter V. Langland, former member of the House—1025

Resolutions offered—1073, 1090

MENEFEE, MAYNARD—Representative Fayette County

Bills introduced—1053, 1092, 1093, 1097, 1132, 1146

Committee appointments—50

Petitions presented—699

Resolutions offered—50

MESSAGES—

(Also see Communications, Joint Conventions and Addressed the House)

From Senate—6, 91, 107, 123, 143, 159, 196, 211, 223, 231, 252, 267, 279, 298, 312, 355, 402, 412, 434, 496, 525, 561, 536, 604, 612, 630, 700, 774, 778, 791, 817, 833, 856, 866, 867, 870, 911, 924, 941, 950, 963, 969, 978, 990, 1020, 1028, 1031, 1047, 1061, 1072, 1091, 1099, 1112, 1123, 1224, 1246, 1252, 1270, 1279, 1290, 1292, 1301, 1317, 1340, 1344, 1359, 1367, 1368, 1378, 1394, 1414, 1423, 1427, 1446

MIDDLESWART, JAMES I.—Representative Warren-Marion Counties

Bills introduced—J.R. 1006; 1024, 1027, 1065, 1093, 1161, 1225, 1228, 1248

Amendments filed—45, 155, 596, 621, 1095, 1274

Committee appointments—9, 1451

Presented to the House the Honorable Russell Hellman, member of the House of Representatives, State of Michigan—49

MILEAGE, COMMITTEE ON—

Reports by—38, 39, 40

MILLEN, FLOYD H.—Representative Lee-Van Buren Counties, Speaker Pro Tempore

Bills introduced—1056, 1196

Amendments filed—596, 696, 959, 1043, 1343

Amendments offered—1343

Amendments withdrawn—814

Announcements—90, 91, 264, 404, 778, 922, 939, 1081

Call of the House requested—1341

Committee appointments—11, 13, 811, 1451

Presided at sessions of the House—68, 89, 198, 235, 249, 264, 275, 323, 376, 396, 400, 459, 504, 566, 569, 588, 591, 609, 635, 639, 776, 802, 835, 842, 882, 887, 888, 910, 911, 922, 939, 1011, 1013, 1014, 1019, 1031, 1079, 1083, 1088, 1105, 1107, 1133, 1139, 1142, 1251, 1267, 1282, 1290, 1304, 1311, 1362, 1365, 1384, 1411, 1418, 1435

Received gift—1099

Resolutions offered—497, 562, 1090, 1446

Rulings made—241, 257, 259, 381, 384, 398, 506, 1014, 1036, 1038, 1089, 1399

MILLER, ELIZABETH R.—Representative Marshall County

Bills introduced—J.R. 1001; 1116, 1140, 1142, 1196, 1225

Amendments filed—187, 191, 348

Amendments offered—381

Petitions presented—699

Reports—325, 326, 446, 515, 821, 857, 917, 957, 1021, 1040, 1093, 1115, 1219, 1296, 1318, 1347, 1405, 1449

Resolutions offered—50

MINORITY FLOOR LEADER, Dale M. Cochran—Representative Calhoun-Webster Counties

(See Cochran, Dale M.—Representative Calhoun-Webster Counties, Minority Floor Leader)

MOFFITT, DELMONT—Representative Appanoose-Decatur-Wayne Counties

Bills introduced—J.R. 1007; 1161, 1196

Amendments filed—474, 1297, 1407

Amendments offered—578

Committee appointments—10

MOLLETT, HENRY C.—Representative Pottawattamie County

Bills introduced—1056, 1092, 1097

Amendments filed—34, 35, 709, 984

Amendments offered—709

Amendments withdrawn—40

Committee appointments—8

Petitions presented—962, 963

Presented to the House the Honorable Laurence E. Allen, Jr., former member of the House—1097

Resolutions offered—632

MONROE, W. R., JR.—Representative Des Moines County

Bills introduced—1004, 1020, 1027, 1055, 1056, 1092, 1097, 1196

Amendments filed—99, 154, 350, 392, 621, 1121, 1221, 1235, 1413

Amendments offered—105, 1235, 1413

Amendments withdrawn—506, 1237

Resolutions offered—854, 1073

MOTIONS TO RECONSIDER VOTE—

Motions to reconsider—

Filed:

House File 57—91

House File 472—135

House File 1007—218

House File 1011—324, 1031

House File 1044—135

House File 1156—1123

House File 1197—634

House File 1257—910

House File 1265—869

House File 1272—980

House File 1279—1288

House File 1291—1227

House File 1295—1288

Senate File 85—199, 1302

Senate File 85 (Conference Committee Report)—1302

Senate File 185—337

Senate File 202—568

Senate File 203—218

Senate File 334—367

Senate File 428—548, 609, 1270

Senate File 1046—279

Senate File 1096—1057

Senate File 1125—606

Amendment 1 and amendment 2 of the Committee on Rules amendment to Rule 20 of the temporary rules of the House—1020

Prevailed:

House File 472—183

House File 1044—514

House File 1156—1267

Senate File 185—910

Senate File 202—979

Senate File 392—232, 233

Senate File 1046—418

Failed:

House File 1011—325, 1084
 House File 1147—1034
 House File 1156—908
 House File 1197—634
 House File 1291—1306
 Senate File 85—1312
 Senate File 334—976, 977
 Senate File 428—607, 1366

Withdrawn:

House File 1113—933
 House File 1257—945
 House File 1265—944
 House File 1272—1010
 House File 1279—1445
 House File 1295—1331
 Senate File 85—304
 Senate File 203—261
 Senate File 428—700
 Senate File 1096—1226
 Senate File 1125—700

Motions to reconsider, from the floor—

Filed:

House File 6—1142
 House File 743—591
 House File 1011—1085
 House File 1147—1033, 1051
 House File 1156—1442
 House File 1242—1012, 1013
 House File 1265—1264
 House File 1272—1311, 1426, 1428
 Senate File 334—976

Prevalled:

House File 743—591
 House File 1147—1052
 House File 1242—1013
 House File 1272—1311, 1429

Failed:

House File 6—1142
 House File 1011—1085
 House File 1156—1443
 House File 1265—1264
 House File 1272—1311, 1426

Motions to reconsider motion—

Filed:

House File 1113—579
 Senate File 392—171, 196

Motion to reconsider vote, motion to reconsider vote laid on table—

Prevalled:

House File 524—514
 House File 1276—935
 Senate File 85—385
 Senate File 260—845
 Senate File 1008—713

Failed:

House File 1011—1031
 House File 1156—900

NIELSEN, ALFRED—Representative Harrison-Shelby Counties

Bills introduced—1021, 1091, 1225
 Amendments filed—45, 519, 827, 905, 1297
 Amendments offered—635
 Petitions presented—772, 1027, 1223
 Resolutions offered—196

NONCONTROVERSIAL BILLS, COMMITTEE ON—

Appointments—404
 Rules—404
 Adoption of rules—432
 Objection—1327, 1399, 1402
 Objection withdrawn—1423
 Removed from calendar:
 House File 1205—1385
 Senate File 418—605
 Reports—515, 595, 820

NORPEL, RICHARD J., SR.—Representative Jackson-Jones Counties

Bills introduced—1056, 1058, 1093, 1225
 Amendments filed—408, 427, 598, 621, 916, 1234, 1450
 Amendments offered—443, 916, 1234
 Amendments reoffered—444
 Challenged the ruling of the chair—506
 Committee appointments—433
 Petitions presented—560
 Presented to the House Miss Debbie Eggers from Andrew, Iowa, cover
 girl for the official program of the girl's state basketball tournament
 —1025
 Resolutions offered—900, 936, 1073

NYSTROM, JOHN W.—Representative Boone County

Bills introduced—J.R. 1007; 1061, 1070, 1074, 1076, 1085, 1092, 1097, 1154,
 1188, 1196, 1232
 Amendments filed—407, 582, 597, 693, 706, 828, 1067
 Committee appointments—8, 778
 Reports—1009
 Resolutions offered—900, 1073

OATH OF OFFICE—

By pages—3

OFFICERS AND EMPLOYEES—

Appointments—25
 Oath of office—3
 Resolutions relating to:
 Senate Concurrent Resolution 101—6, 44
 Senate Concurrent Resolution 121—1225, 1359
 Senate Concurrent Resolution 133—1445

PAGES—

Appointment of—2
 Took oath of office—3
 Queen of the Pages' Ball—1046
 Resolution relating to, S.C.R. 133—1445

PATTON, JOHN W.—Representative Buchanan-Delaware Counties

Bills introduced—1056, 1132
 Amendments filed—449, 621
 Committee appointments—11
 Resolutions offered—1073

PELLETT, WENDELL C.—Representative Audubon-Cass Counties

Bills introduced—J.R. 1006; 1032, 1055, 1067, 1071, 1072

Amendments filed—263, 348

Amendments withdrawn—394

Petitions presented—523

Presented to the House the Honorable Harvey W. Johnson, former member of the House—628

PELTON, CHARLES H.—Representative Clinton County

Bills introduced—J.R. 1002, 1007; 1059 1122, 1123

Amendments filed—56, 155, 220, 349, 521, 551, 984, 986, 1323, 1355

Amendments offered—512, 1400, 1402

Amendments withdrawn—608, 1410

Appointed to Criminal Code Review Study Committee—7

Committee appointments—7, 433, 870

Presented to the House Julia Bengston, Iowa Heart Princess—157

Reports—1219

Resolutions offered—631

PERSONNEL COMMITTEE—

Reports—25

Resolutions relating to, S.C.R. 101—6

PIERSON, GEORGE N.—Representative Keokuk-Mahaska-Monroe Counties

Bills introduced—J.R. 1007; 1031, 1078, 1153, 1161

Amendments filed—34, 185, 190, 349, 427, 1070, 1274, 1287

Amendments offered—40, 1286, 1287

Amendments withdrawn—376, 384

Call of the House requested—1429

Committee appointments—9, 12, 528

Reports—867

Resolutions offered—1037

POINTS OF ORDER RAISED—

On House File 6—Representatives Alt and Skinner—1141

On House File 30—Representative Skinner—974

On House File 48—Representative Schroeder—495

On House File 711—Representative Holden—506

On House File 1011—Representative Fisher of Greene—55, 53

On House File 1011—Representative Kelly—57

On House File 1011—Representative Blouin—1029

On House File 1147—Representative Radl—398

On House File 1156—Representative Varley—896

On House File 1196—Representative Millen—1362

On House File 1214—Representative Kremer—1229

On House File 1242—Representative Camp—1011

On House File 1276—Representative Kelly—914, 916

On House File 1280—Representative Grassley—1086, 1087, 1088, 1089

On House File 1300—Representative Norpel—1235

On House File 1300—Representative Cochran—1432

On Senate File 77—Representative Cochran—162

On Senate File 85—Representative Priebe—197

On Senate File 85—Representative Kehe—381

On Senate File 85—Representative Blouin—384

On Senate File 163—Representative Drake—1381

On Senate File 431—Representative Kruse—241

On Senate File 1008—Representative Fischer of Grundy—709

On Senate File 1013—Representative Skinner—225

On Senate File 1013—Representatives Cochran, Fischer of Grundy, Varley—257

On Senate File 1013—Representative Curtis—259

On Senate File 1059—Representative Welden—1411
 On Senate File 1096—Representative Drake—1055
 On Senate File 1101—Representative Freeman—968
 On Senate File 1210—Representative Holden—1399

PRESIDENT OF THE SENATE—

(See Joint Convention, Lieutenant Governor Roger W. Jepsen)

PRESS, MEMBERS OF—

Assignment of desks in press gallery—5, 6, 63

PRIEBE, BERL E.—Representative Kossuth-Humboldt Counties, Assistant
Minority Floor Leader

Bills introduced—1031, 1056, 1062, 1122, 1141, 1225
 Amendments filed—187, 348, 430, 473, 567, 621, 636, 706, 787, 830, 859, 903,
 917, 959, 986, 1018, 1022, 1239, 1297
 Amendments offered—567, 568, 636, 801, 836, 893, 1018, 1089, 1239, 1282
 Committee appointments—10, 1367
 Petitions presented—89
 Received gift—1099
 Reports—1403, 1437
 Resolutions offered—24, 1073, 1114

PROOF OF PUBLICATION—

On House File 1071—166
 On House File 1074—194
 On House File 1075—194
 On Senate File 1055—166
 On Senate File 1110—311

QUEEN OF THE HOUSE—

Constance "Connie" Elchhorn presented to the House—1046

RADL, RICHARD M.—Representative Linn County

Bills introduced—J.R. 1007; 1002, 1010, 1031, 1032, 1035, 1056, 1130, 1183,
 1196
 Amendments filed—427, 491, 625, 770, 902, 1024, 1324
 Amendments offered—802
 Committee appointments—870
 Objection to Senate File 323 on noncontroversial calendar—1327
 Petitions presented—353
 Reports—1219
 Resolutions offered—196

RAY, GOVERNOR ROBERT D.—

(See Governor Ray, Robert D.)

RECORD EXPUNGED—

On Senate File 85—284

REGENTS, BOARD OF—

Resolution relating to, H.C.R. 121—868, 964

RESOLUTIONS—

Index to House Joint Resolutions—1476
 Index to Senate Joint Resolutions acted on in the House—1508
 Index to House Concurrent Resolutions—1519
 Index to Senate Concurrent Resolutions acted on in the House—1521
 Index to House Resolutions—1521

REX, CLYDE—Representative Hamilton-Wright Counties

Bills introduced—1056, 1107, 1116, 1123, 1178, 1224, 1225
 Amendments filed—56, 72, 119, 153, 154, 697, 764, 811, 829, 904, 917, 938,
 982, 1067, 1220, 1274, 1418

Amendments offered—56, 72, 131, 133, 811, 835, 1229, 1303
 Amendment reoffered—910
 Amendments withdrawn—506, 835, 1089, 1228
 Presented to the House the Honorable Robert W. Naden, former member
 of the House, who served as Speaker—1357
 Reports—40
 Request that Senate File 418 be removed from noncontroversial calendar—
 605
 Resolutions offered—1073, 1090

RODGERS, NORMAN G.—Representative Dallas-Madison Counties
 Bills introduced—1017, 1027, 1032, 1056, 1066, 1091, 1092, 1097, 1122,
 1153, 1161
 Amendments filed—57, 448, 621, 764, 905, 1221, 1274
 Amendments offered—57, 514, 914, 1239
 Amendments withdrawn—1363
 Committee appointments—8, 434, 1451
 Presented to the House the Honorable Kenneth Robinson, former member
 of the House—49
 Reports—40, 586, 1103

ROOMS—

Committee rooms assigned—37, 38

ROORDA, NORMAN—Representative Jasper County
 Bills introduced—1091, 1161
 Amendments filed—520, 622, 694, 958, 983, 1278, 1407
 Amendments offered—641
 Amendments withdrawn—1265, 1332
 Committee appointments—13, 1128
 Presented to the House the Honorable William J. Gannon, former member
 of the House—264
 Reports—1263
 Resolutions offered—1028

RULES—

Rules suspended—

On House File 1196—1343
 On House File 1274—1312
 On House File 1276—934
 On Senate Joint Resolution 1008—1439
 On Senate File 85—197
 On Senate File 428—529
 On Senate File 1046—278
 On Senate File 1125—605
 On Senate File 1189—1360
 On Senate File 1203—1360
 On Senate File 1218—1342

Motion to Suspend—

On House File 6—1141
 On House File 371—1014
 On Senate File 1210—1400
 On Senate File 1214—1423, 1429

Motion to Suspend—

Lost:
 On House File 6—1142
 On House File 371—1015
 On Senate File 1210—1400

Rule invoked—

Rule 11 on the following:
 On House File 1171—799

GENERAL INDEX

1609

Rule 31 on the following:

On House File 743—595
On House File 1024—432
On House File 1056—260
On House File 1068—215
On House File 1099—253
On House File 1267—957
On Senate File 470—267

Rule 35 on the following:

On House Joint Resolution 9—211
On House Joint Resolution 1002—275
On House File 56—524
On House File 67—311
On House File 72—560
On House File 235—353
On House File 270—393
On House File 291—699
On House File 321—560
On House File 354—583
On House File 400—524
On House File 465—166
On House File 472—49
On House File 478—250
On House File 494—166
On House File 495—49
On House File 524—265
On House File 544—353
On House File 556—194
On House File 569—211
On House File 597—90
On House File 599—90
On House File 629—61
On House File 643—494
On House File 680—275
On House File 689—494
On House File 711—121
On House File 711—211
On House File 725—560
On House File 726—121
On House File 743—393
On House File 1006—103
On House File 1007—166
On House File 1016—69
On House File 1017—583
On House File 1024—353
On House File 1032—211
On House File 1038—583
On House File 1039—494
On House File 1042—494
On House File 1045—211
On House File 1047—353
On House File 1048—265
On House File 1056—265
On House File 1066—524
On House File 1067—297
On House File 1071—311
On House File 1074—393
On House File 1075—494
On House File 1078—297
On House File 1082—311

On House File 1089—410
On House File 1098—410
On House File 1099—311
On House File 1109—410
On House File 1127—393
On House File 1136—524
On House File 1141—410
On House File 1143—410
On House File 1153—583
On House File 1171—583
On House File 1201—583
On House File 1205—772
On Senate File 79—410
On Senate File 85—142
On Senate File 127—494
On Senate File 184—865
On Senate File 202—353
On Senate File 203—166
On Senate File 260—494
On Senate File 334—297
On Senate File 336—629
On Senate File 418—494
On Senate File 428—353
On Senate File 431—211
On Senate File 470—90, 166, 940
On Senate File 471—560
On Senate File 590—629
On Senate File 593—603
On Senate File 1003—494
On Senate File 1005—494
On Senate File 1008—494
On Senate File 1014—494
On Senate File 1019—772
On Senate File 1023—353
On Senate File 1024—494
On Senate File 1026—629
On Senate File 1030—494
On Senate File 1069—494
On Senate File 1070—494
On Senate File 1087—772
On Senate File 1090—629
On Senate File 1091—831
On Senate File 1096—963
On Senate File 1101—908
On Senate File 1182—987
On Senate File 1188—987
On Senate File 1189—1410
On Senate File 1203—1410

Rule 51 on the following:

On House File 633—261

Rule 54 on the following:

On House File 1092—855
On House File 1099—856
On House File 1100—856
On House File 1111—856
On House File 1130—856
On House File 1131—856
On House File 1132—856
On House File 1208—856
On House File 1209—856

On House File 1213—856
 On House File 1217—856
 On House File 1234—856
 On House File 1247—856
 On Senate File 119—855
 On Senate File 527—855
 On Senate File 585—855
 On Senate File 592—855
 On Senate File 593—855

Rule 69 on the following:

On House File 69—1030
 On House File 1147—1033
 On House File 1156—1438, 1444
 On House File 1300—1433
 On Senate Joint Resolution 1008—1439
 On Senate File 1189—1360
 On Senate File 1203—1360, 1422
 On Senate File 1214—1429, 1430

Rule 70 on the following:

On House Concurrent Resolution 103—775, 776
 On House File 48—464
 On House File 734—891
 On House File 743—590
 On House File 1011—1030, 1085
 On House File 1133—443, 444
 On House File 1140—1079
 On House File 1147—1033
 On House File 1156—899, 1438, 1443, 1446
 On House File 1197—642
 On House File 1242—1012
 On House File 1280—1086
 On House File 1300—1433
 On Senate Joint Resolution 1008—1432
 On Senate Concurrent Resolution 125—1107
 On Senate File 85—1291, 1292, 1311
 On Senate File 202—979
 On Senate File 428—547
 On Senate File 470—956
 On Senate File 1008—711
 On Senate File 1203—1422
 On Senate File 1214—1429, 1430

Rule 71 on the following:

On House File 39—272
 On House File 1293—1238
 On House File 1300—1241
 On Senate File 470—956, 965
 On Senate File 1008—703, 713

House File 48, Rule 11, Sec. 3, of the Joint Rules (applicable)—495,
 496

House Rule 36 suspended for consideration of House bills now on ap-
 propriations calendar—1228

House Rule 36 suspended for the consideration of House bills now on
 sifting committee calendar—1339

RULES, COMMITTEE ON—

Amendments filed to the temporary rules—100, 120, 124, 937, 938, 1010, 1017,
 1018, 1019

Amendments adopted to temporary rules—125, 1009

Amendments offered to temporary rules—1010, 1017, 1018, 1019
 Amendments withdrawn to temporary rules—1010, 1019
 Permanent rules adopted—1445

SARGISSON, HALLIE—Representative Woodbury County
 Bills introduced—J.R. 1001; 1092, 1093, 1095, 1097, 1140, 1142, 1153, 1187, 1196
 Amendments filed—94, 554, 597, 622, 1324
 Committee appointments—2, 811
 Petitions presented—37, 629, 940
 Resolutions offered—50

SCHMEISER, LLOYD F.—Representative Des Moines-Louisa Counties
 Bills introduced—1056, 1162
 Amendments filed—219, 518, 901, 1413
 Amendments withdrawn—965
 Committee appointments—8, 11
 Petitions presented—103, 230, 410
 Resolutions offered—1073

SCHOOLS, COMMITTEE ON—
 Bills introduced—1269
 Amendments filed—207, 642
 Amendments offered—239, 240
 Reports—206, 207, 471, 642

SCHROEDER, LAVERNE W.—Representative Harrison-Pottawattamie Counties
 Bills introduced—1059, 1137, 1138, 1212, 1225
 Amendments filed—34, 46, 56, 68, 161, 185, 390, 407, 518, 706, 829, 863, 901, 919, 920, 985, 986, 1070, 1310, 1407
 Amendments offered—32, 57, 68, 161, 214, 397, 423, 706, 851, 1137, 1310, 1328
 Amendments withdrawn—217, 853, 965, 1011, 1139, 1140
 Call of the House requested—1341
 Committee appointments—10, 11, 251, 1282
 Objection to Senate File 1210 on noncontroversial calendar—1399
 Reports—498, 1347
 Request that Senate File 418 be removed from noncontroversial calendar—605
 Resolutions offered—631, 632, 1281

SCHWARTZ, JAMES H.—Representative Wapello County
 Bills introduced—1056, 1092, 1093, 1097
 Amendments filed—610, 622, 983, 1221
 Amendments offered—610, 1420
 Amendments withdrawn—1282
 Call of the House requested—1084
 Committee appointments—11, 1282
 Petitions presented—629, 865
 Reports—1347

SCHWIEGER, BARTON L.—Representative Black Hawk County
 Bills introduced—J.R. 1002, 1007; 1042, 1056, 1073, 1092, 1097, 1102, 1130, 1189, 1229
 Amendments filed—427, 447, 518, 693, 862, 863, 1024
 Amendments withdrawn—512
 Call of the House requested—1085
 Committee appointments—9, 70, 979
 Reports—59, 1129, 1415
 Resolutions offered—300, 631, 900, 936, 1073

SCOTT, KENNETH D.—Representative Franklin-Cerro Gordo Counties
 Bills introduced—1055, 1064, 1081, 1083, 1091, 1106, 1122, 1177, 1212, 1225
 Amendments filed—154, 187, 245, 348, 474, 622, 766, 802, 904, 1095, 1118

Amendments withdrawn—506, 898
Committee appointments—10, 528
Petitions presented—194, 410
Presented to the House Estela Castro of Argentina, a foreign exchange student—1222
Reports—867

SEATS—

Assignment of desks in press gallery—5, 6, 63

SECRETARY OF STATE, Melvin D. Synhorst—

Communications from—357, 1223, 1405, 1464, 1465-1466
House Joint Resolution 2, sent to—325
House Joint Resolution 8, sent to—1449
House Joint Resolution 1004, sent to—821

SHAW, ELIZABETH—Representative Scott County

Bills introduced—J.R. 1001, 1002, 1007; 1009, 1056, 1059, 1114, 1140, 1142, 1227, 1236
Amendments filed—41, 100, 391, 449, 550, 829, 917, 938, 960, 986
Amendments offered—41, 413, 436, 868, 1130, 1305
Amendments withdrawn—814
Committee appointments—2, 8, 778, 811
Objection to Senate File 1210 on noncontroversial calendar—1399
Reports—3, 1009
Resolutions offered—50, 631

SIFTING COMMITTEE—

Appointed—811
Categories exempt from sifting committee calendar—811
Motion to withdraw from sifting—
House File 366—1341
House File 725—980, 1063
Removed from sifting noncontroversial calendar—
House File 1066—1340
Reports—854, 916, 1021, 1039, 1040, 1318, 1319, 1395

SIGLIN, MARION D.—Representative Clarke-Lucas-Madison Counties

Bills introduced—1161
Amendments filed—187, 348, 474
Committee appointments—11, 15, 528
Reports—867
Resolutions offered—1090

SIXTY-FOURTH GENERAL ASSEMBLY—

(See General Assembly)

SKINNER, ED—Representative Polk County

Bills introduced—1056
Amendments filed—324, 399, 429, 627, 707, 984, 1041, 1054, 1096, 1118, 1121, 1131, 1220
Amendments offered—324, 399, 707, 1054, 1108, 1109, 1131, 1380
Amendments withdrawn—898, 1109, 1133
Committee appointments—11
Explanation of motion to suspend rules—1143
Moved to expunge records of the Journal—386
Objection to Senate File 1003 on noncontroversial calendar—1402
Presided as session of the House (presentation of gifts)—1099
Resolutions offered—631, 1028, 1037

SMALL, ARTHUR A., JR.—Representative Johnson County

Bills introduced—J.R. 1003; 1050, 1056, 1115, 1196, 1218, 1229, 1237, 1243, 1248

Amendments filed—219, 220, 228, 241, 398, 427, 448, 449, 471, 492, 553, 557, 558, 621, 694, 697, 706, 958, 1024, 1067, 1096, 1121, 1237, 1250, 1278
 Amendments offered—241, 253, 257, 398, 455, 565, 703, 705, 706, 784, 845, 898, 1032, 1086, 1131, 1237
 Amendments withdrawn—1265, 1332
 Committee appointments—313
 Official delegate to attend funeral services for the Honorable Scott Swisher, former member of the House—313
 Resolutions offered—631, 701, 777, 913, 1270, 1365

SOCIAL SERVICES, COMMITTEE ON—

Bills introduced—1104, 1119, 1200, 1249, 1253
 Amendments filed—199, 262, 387
 Amendments offered—63, 236, 511, 589
 Amendments withdrawn—130
 Reports—45, 185, 199, 261, 262, 387

SORG, NATHAN—Representative Linn County

Bills introduced—1010, 1028, 1035, 1141, 1196
 Amendments filed—1041
 Committee appointments—10, 11, 12, 404
 Petitions presented—865
 Reports—515, 595, 820
 Resolutions offered—631

SPEAKER OF THE HOUSE—William H. Harbor, Representative Mills-Montgomery-Page Counties

Announcements—7, 23, 25, 36, 49, 61, 63, 70, 102, 121, 142, 157, 193, 211, 221, 229, 251, 297, 310, 313, 325, 352, 409, 431, 434, 446, 493, 516, 522, 528, 559, 587, 602, 612, 628, 698, 700, 771, 788, 811, 821, 832, 857, 864, 867, 869, 906, 917, 961, 988, 1021, 1025, 1040, 1047, 1071, 1093, 1097, 1115, 1122, 1128, 1219, 1222, 1279, 1282, 1296, 1300, 1301, 1318, 1325, 1347, 1357, 1365, 1367, 1368, 1405, 1409, 1449
 Bills signed by—325, 446, 516, 612, 821, 857, 917, 957, 1021, 1040, 1115, 1296, 1347, 1449
 Committees appointed by—14, 22, 50, 63, 104, 313, 433, 1451
 Communications from—1074
 Petitions presented—1, 69, 89, 166, 603, 833
 Presented to the House the Honorable William J. Scherle, Congressman and former member of the House—23
 Presented to the House Lieutenant General Patrick F. Cassidy, Commanding General of the Fifth United States Army; Major General Joseph G. May, Adjutant General of Iowa; and Brigadier General Joseph B. Flatt, Commander of Troops, Iowa Army National Guard, and former member of the House—1300
 Presided at sessions of the House—14, 23, 36, 49, 61, 66, 69, 102, 121, 141, 157, 165, 193, 210, 221, 229, 297, 310, 325, 352, 393, 409, 431, 439, 452, 493, 507, 511, 522, 547, 559, 568, 583, 590, 591, 602, 605, 610, 628, 636, 698, 707, 771, 785, 788, 809, 831, 837, 838, 864, 884, 891, 906, 913, 934, 950, 961, 968, 969, 987, 1013, 1017, 1025, 1035, 1046, 1059, 1071, 1082, 1084, 1097, 1122, 1133, 1140, 1219, 1222, 1229, 1279, 1291, 1300, 1308, 1325, 1336, 1340, 1357, 1362, 1364, 1380, 1409, 1413, 1424, 1451
 Received gift—1099
 Remarks—3, 1446
 Resolution relating to, S.C.R. 120—1225, 1358
 Ruling on Senate File 428—773
 Rulings made—55, 56, 57, 58, 162, 197, 225, 495, 709, 914, 915, 916, 969, 974, 1011, 1029, 1055, 1087, 1132, 1141, 1362, 1381
 Closing remarks—1446
 Final adjournment second regular session, Sixty-fourth General Assembly, S.C.R. 134—1446, 1455

SPEAKER PRO TEMPORE, Floyd H. Millen—Representative Lee-Van Buren Counties
 (See Millen, Floyd H.—Representative Lee-Van Buren Counties, Speaker Pro Tempore)

SPECIAL ORDER—

On House File 57—73
 On Senate File 85—145, 197
 On Senate File 77—159, 167

STANLEY, IVOR W.—Representative Linn County

Bills introduced—J.R. 1007; 1035, 1056, 1092, 1097, 1122, 1194, 1196, 1225
 Amendments filed—155, 427, 448, 639, 905, 1043, 1095
 Amendments offered—224, 639
 Amendments withdrawn—639
 Call of the House requested—1085
 Committee appointments—8, 13, 1367, 1451
 Petitions presented—102
 Presided at sessions of the House (presentation of gifts)—1099
 Reports—1437
 Resolutions offered—631, 1028, 1126, 1403

STATE APPEAL BOARD—

(Maurice E. Baringer, Chairman)
 Communications from, stating claims filed with—25-28, 29, 30
 Claims approved—25-28, 29, 30

STATE GOVERNMENT, COMMITTEE ON—

Bills introduced—1011, 1133, 1147, 1220, 1242, 1251, 1265, 1290
 Amendments filed—87, 386, 581, 857
 Amendments offered—131, 438
 Reports—87, 164, 328, 386, 465, 581, 857

STATE-OF-THE-STATE MESSAGE—

Resolution relating to, H.C.R. 101—2
 Delivered by Governor Robert D. Ray—15-22

STOKES, A. GORDON—Representative Plymouth-Sioux Counties

Bills introduced—1058, 1093
 Amendments filed—553
 Amendments offered—844
 Official delegate to attend funeral services of the Honorable Scott Swisher, former member of the House—313
 V.F.W. Voice of Democracy Freedom—584

STRAND, CLAIR—Representative Iowa-Jasper-Poweshiek Counties

Bills introduced—1027, 1058, 1093
 Amendments filed—56
 Petitions presented—353
 Resolutions offered—1073

STROMER, DELWYN—Representative Hancock-Wright Counties

Bills introduced—1032, 1153, 1182, 1192
 Amendments filed—34, 697, 764, 917, 982
 Amendments offered—1305
 Committee appointments—8, 12, 63
 Petitions presented—865
 Presented to the House the Honorable R. W. Hagie, former member of the House—1300

STROTHMAN, CHARLES F.—Representative Henry-Jefferson Counties

Bills introduced—1031, 1093, 1201, 1202
 Committee appointments—251

Petitions presented—158, 431
 Presented to the House Mr. and Mrs. Charles Decker representing the
 Midwest Old Settlers and Threshers Annual Reunion in Mount Pleas-
 ant, Iowa—522
 Reports—498
 Resolutions offered—900, 936, 1395

SUPREME COURT OF IOWA—

(See Chief Justice of the Supreme Court, C. Edwin Moore)

TAYLOR, RAYMOND J.—Representative Dubuque County

Bills introduced—J.R. 1007; 1056, 1092, 1097, 1132, 1196, 1245, 1252
 Amendments filed—156, 227, 246, 350, 392, 448, 449, 520, 693, 766, 859, 902,
 903, 1066, 1249, 1250
 Amendments offered—397, 894, 896, 948
 Amendments withdrawn—160, 397, 528, 895, 896
 Committee appointments—12, 1111
 Petitions presented—297
 Presented to the House Kevin Schwendinger, his nephew and godchild
 from Monticello—771
 Reports—1130, 1307
 Resolutions offered—900, 936, 1073, 1090

TIEDEN, DALE—Representative Allamakee-Clayton Counties

Bills introduced—J.R. 1006; 1028, 1031, 1032, 1056, 1091, 1108, 1116, 1122,
 1125, 1130, 1132, 1146, 1233
 Amendments filed—155, 218, 263, 306, 307, 779, 904, 959, 1022, 1094, 1118,
 1249, 1250, 1393
 Amendments offered—224, 504, 779, 1034, 1393
 Amendments withdrawn—242, 1336
 Committee appointments—50, 434
 Objection to Senate File 323 on noncontroversial calendar—1327
 Reports—25, 586, 1103
 Resolutions offered—44, 631, 1073

TRANSPORTATION, COMMITTEE ON—

Bills introduced—1068, 1113, 1256, 1258, 1259, 1264
 Reports—59, 548
 Resolutions offered—299
 Subcommittee appointments—70

TROWBRIDGE, DELBERT L.—Representative Floyd-Mitchell Counties

Bills introduced—1027, 1056, 1058, 1093, 1153, 1226
 Amendments filed—164, 802, 897, 921, 934, 1241, 1277
 Amendments offered—897, 933, 934, 1241
 Committee appointments—10
 Petitions presented—523
 Resolutions offered—900, 936, 992

UBAN, CHARLES J.—Representative Black Hawk County

Bills introduced—J.R. 1001; 1027, 1130, 1196, 1208
 Amendments filed—46, 55, 140, 219, 245, 246, 392, 458, 518, 693, 766, 787, 863,
 914, 920, 921, 952, 983, 985, 1043, 1070, 1096, 1118, 1121, 1249, 1316, 1324,
 1420
 Amendments offered—55, 453, 505, 914, 935, 952, 1265, 1316, 1420, 1421
 Amendments withdrawn—506, 885, 933, 965, 1330
 Resolutions offered—1028

**VARLEY, ANDREW—Representative Adair-Adams-Taylor Counties, Majority
 Floor Leader**

Bills introduced—1075, 1114, 1161

Amendments filed—391, 453, 472, 764, 826, 827, 862, 986, 1010, 1017, 1069, 1117, 1323, 1408, 1418
 Amendments offered—420, 508, 884, 889, 1009, 1010, 1017, 1418
 Amendments withdrawn—884, 890, 1010, 1418
 Committee appointments—9, 811
 Objection to Senate File 1210 on noncontroversial calendar—1399
 Presented to the House the Honorable Eldon Stroburg, former member of the House—393
 Presented to the House the Honorable Ray C. Cunningham, former member of the House—522
 Presented to the House the Honorable Earl M. Yoder, former member of the House—522
 Presented to the House the Honorable Roy A. Miller, former member of the House—602
 Presided at sessions of the House—780, 1132, 1306
 Received gift—1099
 Reports—854, 916, 1021, 1039, 1040, 1319, 1395
 Resolutions offered—2, 774, 1326, 1358, 1359, 1446

WAUGH, JEWELL O.—Representative Crawford-Monona Counties

Bills introduced—J.R. 1007; 1032, 1056, 1091, 1092, 1095, 1097, 1122, 1196
 Amendments filed—185, 190, 349, 693, 764
 Amendments offered—197
 Committee appointments—867
 Petitions presented—583, 603
 Presented to the House the Honorable Oliver P. Bennett, former State Senator and Commissioner of Insurance—698
 Presented to the House, Pay Hayward, an American Field Service Foreign Student from Moree, Australia—988
 Reports—1128
 Resolutions offered—1073

WAYS AND MEANS, COMMITTEE ON—

Bills introduced—1099, 1175, 1197, 1216, 1257, 1276, 1277, 1283, 1286, 1288
 Reports—550, 901, 957
 Resolutions offered—273

WELDEN, RICHARD W.—Representative Franklin-Hardin Counties

Bills introduced—1048, 1173
 Amendments filed—119, 120, 239, 296, 391, 518, 519, 582, 605, 829, 841, 863, 919, 1024, 1045, 1118, 1323, 1324, 1413
Amendments offered—367, 605, 841, 884, 887, 895, 1058, 1328, 1338
 Amendments withdrawn—814, 887
 Call of the House requested—1341, 1429
Committee appointments—9, 10, 979, 1368
 Presented to the House the Honorable Don MacManus, State Senator from the State of Colorado—771
 Presented to the House Peter Snell, an AFS exchange student from Johannesburg, South Africa—1325
 Reports—1129, 1415, 1424
 Resolutions offered—900, 936, 1027

WELLS, JAMES D.—Representative Linn County

Bills introduced—1035, 1055, 1056, 1092, 1097, 1225, 1248
 Amendments filed—34, 245, 427, 517, 552, 598, 622, 764, 905, 1022, 1041, 1239
 Amendments withdrawn—214
 Committee appointments—2, 9, 12, 811
 Petitions presented—453, 523
 Resolutions offered—900, 936

WILLITS, EARL M.—Representative Polk County

Bills introduced—J.R. 1001; 1056, 1096, 1248

Amendments filed—155, 220, 621, 840, 1121

Amendments offered—225, 439

Committee appointments—12

Objection to Senate File 1300 on noncontroversial calendar—1402

Presented to the House Nicholas Johnson, member of the Federal Communications Commission—522

Presented to the House his secretary, Constance "Connie" Eichhorn, who was chosen Queen of the House—1046

Resolutions offered—900, 936, 1028, 1073

WINKELMAN, WILLIAM P.—Representative Calhoun-Sac Counties

Bills introduced—J.R. 1006; 1031, 1090, 1091, 1122, 1125, 1134, 1195, 1196, 1222, 1223, 1224, 1234

Amendments filed—351, 408, 448, 1095, 1131, 1323

Amendments offered—418, 895, 899, 1105, 1131, 1338

Amendments withdrawn—895, 1108

Committee appointments—2, 9, 1367, 1368

Petitions presented—629, 1027

Presented to the House the Honorable Laurence Putney, former member of the House, serving as Speaker pro tempore, and former state Senator—961

Reports—3, 1408, 1437

WIRTZ, JAMES E.—Representative Palo Alto-Pocahontas Counties

Bills introduced—1056, 1091, 1092, 1097, 1141, 1153, 1196

Amendments filed—552

WYCKOFF, RUSSELL L.—Representative Benton-Black Hawk Counties

Bills introduced—1056, 1116, 1150

Amendments filed—45, 245, 427, 449, 1450

Amendments offered—574

Committee appointments—867

Objection to Senate File 323 on noncontroversial calendar—1327

Petitions presented—629, 789, 990

Resolutions offered—900, 936, 1073